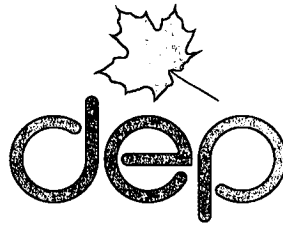


Dominion E & P Docket 207-200
Exceptions to Rule 2/10/10
10:30 am



west virginia department of environmental protection

Oil and Gas Conservation Commission
601 57th Street, SE Charleston, WV 25304
(304)926-0499, Ext 1656

Joe Manchin III, Governor
Randy C. Huffman, Cabinet Secretary
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION
EXPLORATION & PRODUCTION, INC. FOR EXCEPTION
LOCATIONS REGARDING THE DRILLING OF THE PROPOSED
WELLS IDENTIFIED AS THE JIMMY WOODY #33161, #33171
AND THE #33173 TO BE LOCATED IN WASHINGTON DISTRICT,
UPSHUR COUNTY, WEST VIRGINIA

DOCKET NO. 207
CAUSE NO. 200

REPORT OF THE COMMISSION

This cause came before the Commission on March 18, 2010, in the Department of Environmental Protection Canaan Valley Conference Room, Charleston, West Virginia after giving notice as required by law, at the request of Dominion Exploration & Production Inc., (hereinafter referred to as "Dominion"), on the previously filed application seeking approval for exceptions to West Virginia Code Rules § 39-1-4.2, for the drilling of the proposed wells identified as the Jimmy Woody #33161, #33171, and #33173. Dominion proposes to drill 100 feet below the top of the Onondaga formation. The proposed locations do not meet the spacing requirement imposed on deep wells; therefore, Dominion has requested approval from the Commission for exception to West Virginia Code Rules § 39-1-4.2. No opposing or noticed parties made an appearance. There being enough members of the Commission present for a quorum, the hearing was commenced. Present for Dominion were Greg Cunningham, Doug Reif, Jedediah Spratt, and Jeff Hosaflook. No opposing or noticed parties made an appearance.

The Commission heard testimony from three witnesses, being Doug Reif, Jedediah Spratt, and Greg Cunningham, on behalf of Dominion, and the witnesses were questioned by the Commission, but not subject to cross examination, as no opposing parties were present. The testimony of Doug Reif included the addition to the record of three revised plats, showing a corrected well number from 3669 to 3664. He further testified that the reasoning for the spacing is that these three wells to be spaced within 3000 feet of another deep well is that the already drilled 3664 is producing only from the Marcellus formation, a shallow formation. He also testified that the completion of the three wells that are the subject of this hearing will be completed to a depth of 100 feet below the surface of the Onondaga group for rat hole and logging purposes only. He further testified that there is only one well within a 10 mile radius producing from the Huntersville, which is the formation where the drilling will end on the wells in question. Further, he provided testimony that from a geological perspective that there is not sufficient production history to have an accurate estimation of the drainage area.

Next, the Commission heard the testimony of Jedediah Spratt. He testified to the Commission that the locations of the three wells in question were chosen with the surface owner present, and that all three wells were in compliance the 400 feet to a lease line rule. He further provided copies of the surface and coal waivers signed by appropriate parties for all three proposed wells. He testified that the distances between the wells were as follows: From the existing well to #33171 is 1,545 feet; from the existing well to #33161 is 1,648 feet; and from the existing well to #33173 is 1,465 feet. He also testified that #33173 is 1,669 feet from #33161, and over 3000 feet from #33171; #33161 is 1,669 feet from #33173 and is not

within 3,000 feet of #33171; and that #33171 is 2,194 feet from #33173, and 2,194 feet from #33171. He further testified that nothing below the surface of the Onondaga was going to be completed.

Finally, the Commission heard the testimony of Greg Cunningham, who testified that he wished to pull the request for exception for 400 feet to a lease line. He also testified that the radius for the drainage is 426.7 feet.

Following the testimony, there being no other witnesses or parties interested in or affected by the application present, the Board voted on and thereupon convened an executive session. After breaking from executive session, a Motion was made by a member of the Commission to grant the exception for proposed wells #33161, #33171, and #33173 to be drilled within 3,000 feet from existing well 3664, and within 3,000 feet of one another and to be drilled 100 feet below the surface of the Onondaga formation. The Motion was properly seconded. There being no objection, to the Motion, a vote was taken. There being four ayes, and no nays, with the chair abstaining, the Motion carried, and the exceptions to the spacing requirements were granted.

Thereupon, the Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Members of the Commission present at the hearing were Barry Lay, Chair, Robert Radabaugh, Anthony Gum, and ex officio voting members James Martin Chief of the Office of Oil and Gas, and Lisa McClung, sitting for Secretary Huffman as permitted by W.Va. Code § 22-1-6(b).
2. The applicant is an operator within the meaning paragraph (4) subsection (a) of the West Virginia Code § 22C-9-2.
3. Dominion wishes to drill proposed wells #33161, #33171, and #33173, to reach the bottom of the Marcellus formation, total depth to reach more than 20 feet below the top of the Onondaga group. The Marcellus shale formation lies directly above the Onondaga limestone formation. Dominion intends to drill 100 feet below the Marcellus formation, for rat hole purposes. The 100 feet of rat hole will allow the applicant to get logging tools, casing, tubing and perforating tools to sufficient depth below the pay zone.
4. The proposed wells are deep wells as they will penetrate deeper than 20 feet below the top of the Onondaga group as defined by West Virginia Code § 22C-9-2.
5. The witness testified that at no time will the Onondaga, or any formation below the Onondaga, be perforated, produced from, or stimulated in any way by any of the three proposed wells.
6. The locations of the proposed wells were chosen due to the topography and the geology of the potential producing formation.
7. The spacing from proposed well #33173 is 1,669 feet from proposed well #33161, and over 3000 feet from proposed well #33171; the spacing from proposed well #33161 is 1,669 feet from proposed well #33173 and is not within 3,000 feet of proposed well #33171; and the spacing from proposed well #33171 is 2,194 feet from proposed well #33173, and 2,194 feet from proposed well #33171. In all cases exceptions to West Virginia Code Rules § 39-1-4.2 are required.
8. The spacing from the existing well 3664 to #33171 is 1,545 feet; from the existing well 3664 to #33161 is 1,648 feet; and from the existing well 3664 to #33173 is 1,465 feet. In all cases exceptions to West Virginia Code Rules § 39-1-4.2 are required.
9. There were no objections by any noticed parties, and the witness testified that the company is in possession of written waivers from surface and coal owners.
10. A Motion was made, and properly seconded, to grant Dominion's applications for the exceptions to the spacing requirements.
11. The Commission voted upon the Motion, with it passing unanimously.

CONCLUSIONS OF LAW

1. That due notice of time, place and purpose of the hearing has been given in all respects as required by law.
2. That West Virginia Code Rules § 39-1-4.2 requires that all deep wells drilled shall be not less than 3,000 feet from a deep well drilling to or capable of producing hydrocarbons from the

objective pool of the deep well, and that West Virginia Code Rules §39-1-4.3 allows for an exception to West Virginia Code Rules § 39-1-4.2.

3. That pursuant to Chapter 22C, Article 9, Code of West Virginia, as amended, the Commission has jurisdiction over the subject matter embraced in said notice, and the persons interested therein, and jurisdiction to promulgate the hereinafter prescribed Order, and that a quorum of the Commission was present at the hearing.
4. That in order to grant the drilling permits for proposed wells Jimmy Woody #33161, #33171, and #33173, exceptions must be granted to the spacing requirements. West Virginia Code Rules § 39-1-4.2
5. The applied for exceptions are necessary to prevent waste and to alleviate the burden or hazard of drilling said proposed wells due to surface conditions. W.Va. Code § 22C-9-7 (6), West Virginia Code Rules § 39-1-4.2

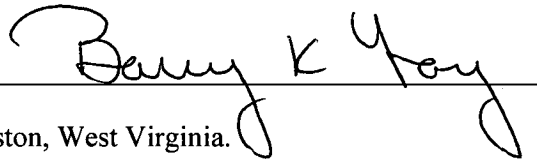
ORDER

Therefore, based on the Findings of Fact and Conclusions of Law, the West Virginia Oil and Gas Conservation Commission grants the applied for exceptions to West Virginia Code Rules § 39-1-4.2 to Dominion for the drilling of the proposed wells Jimmy Woody #33161, which henceforth shall be known as API #097-03694; #33171, which henceforth shall be known as API #097-03693 and #33173, which henceforth shall be known as API #097-03692, within 3000 feet of existing well 3664, and to drill each 100 feet below the top of the Onondaga formation. Furthermore, Dominion will furnish to the Commission a copy of the bond log and perforating log within ninety days of the completion of the abovementioned wells. In addition, Dominion shall submit an affidavit signed by a principal of the company stating that the wells were not and will not at any time in the future be produced, perforated or stimulated in any manner in a formation below the top of the Onondaga formation.

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF WEST VIRGINIA

By: _____



Dated this 29th day of April, 2010, at Charleston, West Virginia.

BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF WEST VIRGINIA

IN THE MATTER OF THE REQUEST
BY DOMINION EXPLORATION &
PRODUCTION, INC., FOR EXCEPTION
LOCATIONS REGARDING THE DRILLING
OF THE PROPOSED WELLS IDENTIFIED
AS THE JIMMIE WOODY #33161, #33171
AND THE #33173 TO BE LOCATED IN
WASHINGTON DISTRICT, UPSHUR COUNTY,
WEST VIRGINIA.

DOCKET NO. 207
CAUSE NO. 200

Transcript of the hearing taken on the
18th day of March, 2010, at 10:05 a.m., in the
offices of Department of Environmental Protection,
Oil and Gas Conservation Commission located at 601
57th Street, Southeast, Charleston, West Virginia,
pursuant to the West Virginia Rules of Civil
Procedure.

ORIGINAL

BONNIE K. WOLFE
Certified Court Reporter
1211 Ellen Drive
South Charleston, West Virginia 25303
(304) 744-4318

APPEARANCES:

COMMISSION:

Barry Lay, Chairman
Robert Radabaugh
James Martin
Anthony Gum
Lisa McLung

COMPANY:

Greg Cunningham
Jedidiah Spratt
Jeff Hosaflook
Doug Riffe

INDEX

WITNESSES

DIRECT

EXAMINATION

Doug Riffe

5

6 (Lay)
8 (Martin)
11 (Lay)

Jedidiah Spratt

14

Greg Cunningham

20 (Lay)
21 (Martin)

DEP EXHIBITS

IDENTIFIED/RECEIVED

Nos. 1-6

4

Nos. 7, 8

15

Reporter's Certificate

25 and 26

1 CHAIRMAN LAY: Before the Oil and
2 Gas Conservation Commission of the State of West
3 Virginia in the matter of the request by Dominion
4 Exploration & Production, Inc., for exception
5 locations regarding the drilling of the proposed
6 wells identified as the Jimmie Woody 33161, 33171
7 and the 33173 to be located in Washington District,
8 Upshur County, West Virginia.

9 This is Docket No. 207, Cause No
10 200. Let the record show that present are members
11 of the Commission, Lisa McClung, James Martin, Tony
12 Gum, Robert Radabaugh and Barry Lay.

13 I'd like to place in the record as
14 Exhibit 1 a copy of the Notice of Continuance,
15 Exhibit 2, a copy of the postal receipts.

16 Exhibit No. 3 is a copy of the
17 newspaper confirmation. Exhibit 4 is a copy of the
18 original Notice of Hearing which was scheduled for
19 February 10, 2010.

20 Exhibit 5 is a copy of a letter
21 dated November 2, 2009, requesting a hearing from
22 Dominion Exploration signed by an Amanda Langford.

23 And finally, Exhibit 6 are

1 collectively copies of the applications for the
2 wells.

3 (WHEREUPON, said documents
4 were identified as DEP Exhibit
5 Nos. 1-6 and are received in
6 evidence and attached hereto and
7 made a part hereof.)

8 CHAIRMAN LAY: At this time, the
9 Commission will take appearances.

10 MR. CUNNINGHAM: Greg Cunningham,
11 District Land Supervisor for Dominion Exploration &
12 Production. With me is Jedidiah Spratt, Landman;
13 Jeff Hosaflook, Landman from Dominion Exploration &
14 Production; and Douglas Riffe, Senior Geologist,
15 Dominion Exploration & Production.

16 CHAIRMAN LAY: Okay. Mr.
17 Cunningham, we'll go ahead and proceed. Are all
18 four of you intending on testifying?

19 MR. CUNNINGHAM: No, sir.

20 CHAIRMAN LAY: All right. We'll
21 swear you in as you come then. Call your first
22 witness.

23 MR. CUNNINGHAM: Like to call

1 Doug Riffe, Senior Geologist.

2 (Witness sworn.)

3 THEREUPON came

4 DOUG RIFFE

5 called as a witness for the Applicant herein, being
6 first duly sworn according to law, testified as
7 follows:

8 EXAMINATION

9 THE WITNESS: Okay. The first
10 order of business would be to submit the three
11 plats. There was a minor revision on each plat
12 within a 3,000 foot radius circle. The permit
13 numbers are correct.

14 In the description of the wells
15 within the circle, there was one that I have a
16 mis-typing that was identified as Permit 3669. It
17 is properly 3664, as shown in the circle.

18 CHAIRMAN LAY: Did you by chance
19 bring copies of those plats? These are original
20 mylars. They will go with the file, not as part of
21 the record for this transcript. So we will have to
22 provide copies of these to supplement the record.

23 I'm sorry. Go ahead and continue.

1 BY MR. CUNNINGHAM:

2 Q Mr. Riffe, explain why we are
3 requesting a variance through the Commission.

4 A In this area, we have drilled
5 Permit #3664 as a deep well completed in the
6 Marcellus. The three plats are within 3,000 feet of
7 that initial well.

8 Our number 33161 is an offset to
9 the southwest; 33173 is an offset to the southeast;
10 and 33171 is an offset to the northeast, all three
11 being within the 3,000 foot radius.

12 Our intention is to ask for a
13 penetration below the Onondaga. That will allow us
14 to adequately log run casing and complete the
15 Marcellus in the wells, but it is for rathole
16 purposes only.

17 The other wells within the 3,000
18 foot radius are shallow wells, Alexander Benson
19 depth wells.

20

21 EXAMINATION

22 BY CHAIRMAN LAY:

23 Q So I take it from your

1 conversation that the only variance that you are
2 requesting is the 3,000 -- a variance to the 3,000
3 foot spacing rule and not a variance to the front or
4 the lease line boundary rule. Is that correct?

5 A That's correct.

6 Q And all three of these wells are
7 going to penetrate below the top of the Onondaga by
8 how much?

9 A One hundred feet.

10 Q And one other question-- The
11 plats that you submitted today, the only variance
12 between them and the ones that were submitted in the
13 application is the typo that you mentioned. Other
14 than that, the location of the wells are exactly the
15 same?

16 A Yes, sir.

17 Q Do you have any other information
18 you would like to present at this time?

19 A No.

20 Q Any other questions for members of
21 the Commission?

22 COMMISSIONER RADABAUGH: On the
23 four hundred feet lease line, they're not requesting

1 that. Is that correct?

2 CHAIRMAN LAY: That's right. I
3 mean, you'd asked the question of the witness. I
4 shouldn't have answered.

5

6 EXAMINATION

7 BY COMMISSIONER RADABAUGH:

8 Q According to your letter, you are
9 requesting the four hundred foot from the lease
10 line. But according to the plats, it's different.

11 MR. CUNNINGHAM: I would ask
12 Jedidiah Spratt to address that.

13 CHAIRMAN LAY: Let's wait until I
14 get you sworn. Any other questions of this witness?

15

16 EXAMINATION

17 BY COMMISSIONER MARTIN:

18 Q I do have one or a couple maybe.
19 Back to the issue of the typo, as I understand the
20 new plat you submitted, it shows the Well as 3664.

21 A Correct.

22 Q Which is the correct number and a
23 correction to a previous plat. It was set as plat

1 33161.

2 A It shows in all three as--

3 Q But my copy shows 3364.

4 A It is identified that way. Within
5 the circle-- The listing of deep wells within the
6 circle has it as 3669.

7 Q All right. Thank you. The
8 hundred feet that you are going to drill below the
9 base of Marcellus, that would put you in
10 Huntersville. Is that what I'm understanding?

11 A That's correct.

12 Q Is that what you want to be? Is
13 there a Huntersville production in this area?

14 A Within a ten mile radius of this
15 area there is. The closest wells with reported
16 Huntersville production would be along Hiram
17 Anticline to the east.

18 Two of the wells, based on the
19 information available through the State, were
20 originally completed in the Huntersville, and I
21 would be suspicious that they are plugged back.

22 They were over five years with no
23 production reported. In the last two months of

1 2008, had substantial production increase.

2 The operator is Chesapeake, and
3 they have re-completed a number of Chert Oriskany
4 wells within the county, but there's no record of a
5 plug back or recondition on those three wells. They
6 were both extremely poor producers in mcf a day
7 averaged within the first few months.

8 The first wells that were produced
9 in the Chert and/or Oriskany are in the west half of
10 Rock Cave quad at least seven miles from this area.
11 All other wells drilled were either plugged back
12 from the rig or, after a completion attempt, were
13 plugged back and completed shallow with no
14 production of record within three to four miles of
15 this area.

16 Q What's the shallow production?

17 A Primarily, Benson Alexander.

18 There are the uphole zones. That are mainly the
19 Seneca wells that are to the southern area, the
20 3,000 foot areas. They show up as 1607, 1608 and
21 1665.

22 Q Do you have any Onondaga limestone
23 that you're going to be penetrating?

1 A In the first well we drill, Permit
2 3664, the Onondaga's twelve feet thick.

3 Q This one hundred foot below the
4 base of Marcellus, where does that put you in
5 relationship to the Oriskany?

6 A You'd be about halfway through the
7 Huntersville.

8 Q So you've got how many more feet?

9 A Seventy-five to 100 feet.

10 Q To the Oriskany?

11 A Right.

12 COMMISSIONER MARTIN: Okay. Thank
13 you. That's all I have, Mr. Chairman.

14 COMMISSIONER GUM: Nothing from me.

15

16 EXAMINATION

17 BY CHAIRMAN LAY:

18 Q I just have a couple more
19 questions to follow up. I mean, you stated earlier
20 that you planned completion attempt below the top of
21 the Onondaga. Is that correct?

22 A Correct.

23 Q On your plat, the acreage is

1 listed as 180 acres of a 5,000 acre lease. Is that
2 correct?

3 A I'll defer that.

4 Q If that's another question for
5 him, that's fine.

6 A Yeah. Any specifics on the lease
7 position, I'll go with the land department.

8 Q Okay. That's fine. What are the
9 well spacing from the existing well to these three
10 proposed wells?

11 A I cannot speak on that offhand. I
12 can scale it off on the plat.

13 Q From a geological perspective,
14 what was your target spacing for these wells then?

15 A Obviously, we have one well that
16 we've drilled in this county, and we do not have
17 sufficient production history to have an accurate
18 estimation of the drainage area.

19 Based on other areas, we initially
20 considered twenty acres to be a reasonable spacing.
21 Production on the first well is not as high as we
22 have seen in other areas, so I would not expect any
23 larger area.

1 Q Okay. And twenty acres spacing is
2 what radius?

3 A Can I get some help?

4 Q Well, if you can't testify to it,
5 that's fine. I'll ask the question of someone else.
6 Okay. That's all the questions I have. I do have
7 another one.

8 Are all three of these wells
9 vertical or horizontal?

10 A Vertical.

11 Q All three are vertical?

12 A Yes.

13 (Witness excused.)

14

15 COMMISSIONER RADABAUGH: You want
16 to swear the witness?

17 MR. CUNNINGHAM: I would like to
18 call Jedidiah Spratt.

19

20 (Witness sworn.)

21 CHAIRMAN LAY: Would you state your
22 name and occupation for the record?

23 THE WITNESS: Name is Jedidiah,

1 J-e-d-i-d-i-a-h, Spratt, S-p-r-a-t-t. I'm a Landman
2 at Dominion EP.

3 CHAIRMAN LAY: Mr. Cunningham?

4 THEREUPON came

5 JEDIDIAH SPRATT

6 called as a witness by the Applicant herein, being
7 first duly sworn according to law, testified as
8 follows:

9 DIRECT EXAMINATION

10 BY MR. CUNNINGHAM:

11 Q Mr. Spratt, would you explain to
12 the Commission the status with the surface and coal
13 owners along with the distance from any lease line
14 issues?

15 A These three particular well sites
16 were chosen with the surface owner present. When we
17 surveyed them, they were on-site with us. You'd
18 asked about the spacing to the lease lines.

19 The closest well to any lease line
20 is the 33173 well. It's the closest one out of the
21 three. It's 412 feet from the lease line. We
22 surveyed that distance from the lease line.

23 3171 is about 567 feet from the

1 lease line. And 161, we didn't even measure, it's
2 absolutely so far away. It wasn't even close.

3 And I also have with me the
4 surface and coal waivers signed by the Woodys on all
5 three of those wells. I'd like to submit those.

6 CHAIRMAN LAY: Okay. Are these the
7 originals or are they a copy?

8 THE WITNESS: Yeah. We'd probably
9 like to have a copy, would we not?

10 CHAIRMAN LAY: Those need to be
11 part of the application, not part of the record. So
12 again, we'll have to photocopy those to make them
13 part of--

14 I would like to attach the plats,
15 photocopies of these original plats, to be Exhibit 7
16 collectively to the record, and the waivers
17 collectively Exhibit 8. But again, they need to be
18 photocopies to be supplied to the Court.

19 (WHEREUPON, said documents
20 were identified as DEP Exhibits
21 Nos. 7 and 8 and are received in
22 evidence and attached hereto and
23 made a part hereof.)

1 THE WITNESS: The three locations
2 were chosen, like I say, with the surface owner
3 present. Two of the locations are reclaimed strip
4 mines.

5 Their goal was to manage their
6 timber. One did fall in the timber. It was in an
7 area that was friendly for construction. They
8 didn't take out much of the timber. They're all
9 centralized around our water source that we used for
10 our original well.

11 Other than that, I don't have
12 anything.

13 BY CHAIRMAN LAY:

14 Q Are you the individual that can
15 give us the distances between the existing well and
16 these three proposed wells?

17 A Yes. The stakes themselves?

18 Q Yes. The distance from the
19 existing well to the proposed stakes.

20 A Within regards to 33171 to the
21 existing well, it is 1,545 feet. 33161 with regards
22 to the existing well, 1,648 feet. And with 33173,
23 we are 1,465 feet away.

1 Q That leads me to my next question.
2 You have asked for a variation from the existing
3 well for these three wells. How far are these three
4 wells apart from each other?

5 A Each other? You got a preference
6 of which one?

7 Q No.

8 A 33173 is approximately 1,669 feet
9 from Well 33161 and 2,849 feet-- I'm sorry. Excuse
10 me. 33171 does not show up within 3,000 feet of
11 that well. 33161 is 1,669 feet from 33173. It is
12 not within 1,000 feet of 33171. It is not within
13 3,000 feet of 33171.

14 And 33171-- All right. With
15 33171, it is 2,194 feet from 33173. And likewise, I
16 didn't mention that before. But with 33173, it's
17 also 2,194 from 171. And then the other two,
18 33171-- Or, excuse me. The other one is outside of
19 3,000 feet. 3161 is outside of 3,000 feet from
20 33171.

21 Q Okay. Any questions? I'm sorry.
22 Anything further?

23 A No, sir.

1 CHAIRMAN LAY: Any questions from
2 members of the Board?

3 MR. GUM: Not for me.

4 MR. RADABAUGH: No, sir.

5 (Witness excused.)
6

7 COMMISSIONER MARTIN: Mr. Chairman,
8 I'm still confused on the letter from Amanda
9 Langford.

10 CHAIRMAN LAY: Which one?

11 COMMISSIONER MARTIN: Dated
12 November 2nd with the request about the 400 feet
13 lease line. Maybe I'm missing something here in the
14 discussion.

15 MR. CUNNINGHAM: My guess is that
16 was a mistake, that we did not need to request the
17 400 foot waiver and subsequently request that we
18 pull that 400 foot waiver request from our docket.

19 CHAIRMAN LAY: So you're saying
20 that your letter inadvertently asked for 400 feet
21 when all you are requesting is the deviation from
22 the 3,000 foot rule between your own wells?

23 MR. CUNNINGHAM: That's correct.

1 CHAIRMAN LAY: You're not going to
2 in any of these wells complete anything below the
3 top of the Onondaga?

4 MR. CUNNINGHAM: That's correct.

5 COMMISSIONER MARTIN: Did I
6 understand correctly that you have waivers, surface
7 waivers now?

8 CHAIRMAN: Actually-- Wait a
9 second. Wait a second. We need to back up.
10 Actually, you haven't been sworn, Mr. Cunningham.
11 Let me swear you, then I'll ask those questions.
12 You were asking questions of the witnesses. So if
13 we would, can we swear him?

14 (Witness sworn.)

15 THEREUPON came

16 GREG CUNNINGHAM
17 called as a witness for the Applicant herein, being
18 first duly sworn according to law, testified as
19 follows:

20 EXAMINATION

21 BY CHAIRMAN LAY:

22 Q Now let me go back and ask that
23 question again. Mr. Martin asked you about the 400

1 feet. You were saying that it was inadvertently
2 included in your original request for hearing
3 letter.

4 A That's correct.

5 Q That it was not your intent to
6 need a 400 foot deviation?

7 A That's correct. We are hereby
8 requesting to pull that request from the Commission.

9 Q Your request today before us is to
10 grant an exemption to the 3,000 foot spacing between
11 your existing one well and these three proposed
12 wells from one another?

13 A That's correct.

14 CHAIRMAN LAY: Does that answer
15 your question?

16 COMMISSIONER MARTIN: Not exactly.
17 I wanted to know about the surface owner waivers. I
18 just wanted to make sure I'm clear about those.

19 MR. SPRATT: We do have want
20 surface and coal waivers.

21 COMMISSIONER MARTIN: All surface
22 owners and all coal owners on the wells?

23 MR. SPRATT: Yes.

EXAMINATION

BY COMMISSIONER MARTIN:

Q What Barry was saying, the request for the spacing relief is not just the three new wells in regard to 3664. It's also three wells from each other.

A From each other. That's correct.

Q Can you tell me who controls acreage that's 412 feet from 33173?

A That is Penn Virginia's surface property. I believe the wells to the south are Seneca Upshur wells, if I'm not mistaken.

MR. RIFFE: Equitable, I think, has the farm now. I think there was a natural grid, which was Keystone and old Seneca Upshur stuff. I think Equitable has some to the south now and some rather large acreage.

COMMISSIONER MARTIN: Thank you.
That's all I have.

(Witness excused.)

CHAIRMAN LAY: Any other questions?
Any other witnesses, Mr. Cunningham?

1 MR. CUNNINGHAM: Not at this time,
2 sir.

3 CHAIRMAN LAY: Okay. That being
4 the case, we'll go off the record.

5 (WHEREUPON, a discussion was
6 had off the record.)

7 MR. CUNNINGHAM: I calculated the
8 radius for twenty acres, if you wanted it, if you
9 need that.

10 CHAIRMAN LAY: Yeah. We can go
11 back on for just a second. I asked a question
12 earlier about the radius of the drainage, and you
13 said you believed twenty acres. What's that radius?
14 Twenty acres, basically?

15 MR. CUNNINGHAM: 426.7 feet.

16 CHAIRMAN LAY: Okay. I think that
17 answers my question. Okay. We'll close the record.

18 (WHEREUPON, a brief recess
19 was had.)

20 CHAIRMAN LAY: Do we have a motion?

21 COMMISSIONER RADABAUGH:

22 Mr. Chairman, I make a motion to grant Dominion
23 Exploration their request for exception to the rule

1 for Wells No. 33161, which is also known as Permit
2 No. Upshur County 03694; 33171, which would also be
3 Permit No. Upshur County 03693; and Well No. 33173,
4 which is also referred to as Upshur County 03692.

5 Exception for these wells to be
6 drilled within 3,000 feet from an existing permitted
7 deep well and, also, to be within 3,000 foot spacing
8 of each other. Also allow Dominion the exception to
9 drill 100 feet into the Onondaga formation for the
10 purpose of logging.

11 Dominion shall submit to the
12 Commission an affidavit signed by an officer of the
13 company stating that nothing below the top of the
14 Onondaga was perforated, fracked or is being
15 produced. They should also supply a copy of the
16 well log and perforation log on those wells.

17 If at a later date they decide to
18 perforate, frac or produce anything below the top of
19 the Onondaga, they shall appear back before the
20 Commission and request of the Commission to do so.

21 COMMISSIONER GUM: I'll second that
22 motion.

23 CHAIRMAN LAY: It's been properly

1 moved and seconded. Any further discussion? All
2 those in favor of the motion, aye; opposed, nay.
3 Motion carries.

4 (WHEREUPON, the motion was
5 made, seconded and passed.)

6 CHAIRMAN LAY: Okay.

7 Mr. Cunningham, you are granted your relief. We
8 will issue an order. And at that time, we will also
9 submit the submittals today to the Office of Oil and
10 Gas to supplement your permit applications.

11 Is there anything else for the
12 record? If not, I'll close the record. Thank you
13 very much.

14 (WHEREUPON, the hearing was
15 adjourned.)

16

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23

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, To-wit:

I, Bonnie K. Wolfe, Certified Court Reporter and Notary Public in and for the State of West Virginia, duly commissioned and qualified, do hereby certify that the foregoing hearing was duly taken by me and before me at the time and place specified in the caption hereof, the said witness having been by me first duly sworn.

I do further certify that the said hearing was correctly reported by me verbatim and that same was by me accurately written out in full and transcribed into the English language.

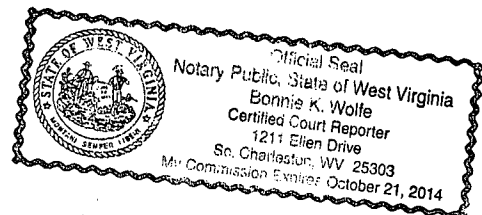
I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action in which this hearing is taken and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in the action.

My commission expires the 21st day of
October, 2014.

Given under my hand and official seal
this 26th day of March, 2010.

Bonnie K Wolfe

Bonnie K. Wolfe, CCR/Notary



**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name	Name
Address	Address
(b) Name	(b) Coal Owner(s) with Declaration
Address	Name
(c) Name	Address
Address	Name
(c) Name	Address
Address	(c) Coal Lessee with Declaration
6) Inspector	Name
Address	Address
Telephone	

TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

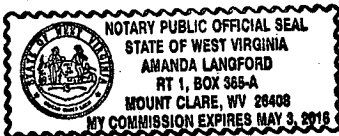
OR
X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through on the above named parties by:

 X Personal Service (Affidavit attached)
 Certified Mail (Postmarked postal receipt attached)
 Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.
By: Rodney J. Biggs
Its: Designated Agent-Vice President - Operations
Address P.O. Box 1248
Jane Lew, WV 26378
Telephone 304-884-2029 (Please contact Landman - Jed Spratt)

Subscribed and sworn before me this 8th day of October, 2009
Alma de la Cruz Notary Public
 My Commission Expires May 3 2016

COAL OPERATOR, OWNER, OR LESSEE WAIVER

County: Upshur

Operator's Well Number 33161

Operator: Dominion Exploration & Production, Inc.

INSTRUCTIONS TO COAL OPERATOR, OWNER, OR LESSEE

To the coal operator, owner, or lessee named on page WW2-A. You are hereby notified that any objection you wish to make or are required to make by Code 22-6-15, 16 or 17, must be filed with the Chief of the Office of Oil and Gas within fifteen (15) days after the receipt of this application by the Office.

WAIVER

The undersigned coal operator ____/ owner ____/ lessee ____/ of the coal under this well location has examined this proposed well location. If a mine map exists which covers the area of well location, the well location has been added to the mine map. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

Date: _____

Woody Lumber Co LLC
By: Dale F. Woody
Its: President
Dale F. Woody

Corrie D Rice

Corrie D Rice

Steven W. Woody

Steven W. Woody

Pawpa + Glen LLC Timmie R Woody managing member

Timmie R Woody

SURFACE OWNER WAIVER

County: Upshur

Operator's Well Number 33161

Operator

Dominion Exploration & Production, Inc.

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

The well operator named on page WW2A is applying for a permit from the State to do oil or gas well work. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

Or District Oil & Gas Inspector
(name and address on WW2-A)

Time Limits and methods for filing comments. The law requires these materials to be served on or before the date the operator files his Application. You have **FIFTEEN (15) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Comments must be in writing. Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation...

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

List of Water Testing Laboratories. The Office maintains a list of water testing laboratories which you can hire to test your water to establish water quality prior to and after drilling. Contact the Chief to obtain a copy.

VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW2-A, and attachments consisting of pages 1 through ___ including a work order on Form WW2-B, a survey plat, and a soil and erosion plan, all for proposed well work on my surface land as described therein.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON

FOR EXECUTION BY A CORPORATION, ETC.

Signature	Date	Name	
		By	Woody Leander Co Inc
		Its	Dale E. Woody
			President
			Date

Signature Date

Conner D Rice

Carrie Rice

Steven W Woody

Paula & Granville Jimmie R Woody managing members

Paula & Granville Jimmie R Woody managing members

WELL REFERENCES:

N88-00W, 167.50' TO 6" SUGAR
N58-00W, 161.00' TO 15" POPLAR

NAD 27:

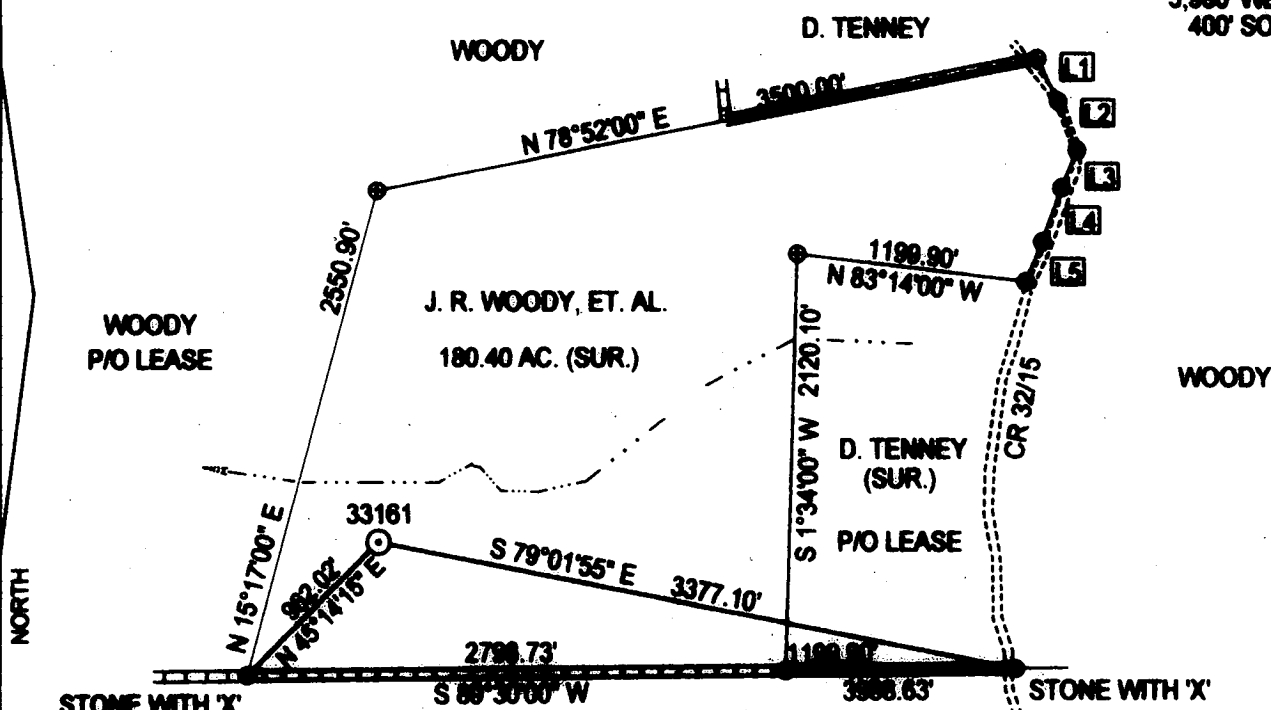
38-47-28.02
80-11-15.30

LATITUDE

38-47-30

SCALED COOR.:

5,980' WEST
400' SOUTH

80-10-08
LONGITUDE

PENN VIRGINIA OPERATING CO., LLC

NOTE: WELL IS OVER 400'
FROM ANY OUTER LEASE
LINE.

DEEP WELLS IN CIRCLE
ARE 3884, 33170 & 33173.

--- DENOTES OUTER LEASE LINE

ID	Bearing	Distance
L1	S 26° 48' 00" E	242.50'
L2	S 21° 41' 00" E	289.90'
L3	S 23° 10' 00" W	206.00'
L4	S 19° 44' 00" W	280.40'
L5	S 23° 04' 00" W	222.60'

NAD 27 WV NORTH SPC:

33161 = 106,579.37'
1,803,997.04'

(+*) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER:

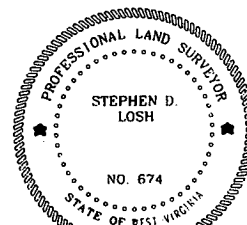
DRAWING NUMBER: DEP33161R.PCSSCALE: 1" = 1000'MINIMUM DEGREE
OF ACCURACY: SUBMETER

PROVEN SOURCE
OF ELEVATION: DGPS SURVEY
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
910 MILLJUNION ROAD
NITRO, WV 25143-2506

FORM WV-6

LAND SURVEYING SERVICES
21 CEDAR LANE, BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 842-5762

DATE: SEPTEMBER 21, 2009OPERATORS WELL NO.: 33161

API WELL NO.

47-097
STATE COUNTY PERMIT

WELL TYPE: OIL ☐ GAS ☒ LIQUID INJECTION ☐ WASTE DISPOSAL ☐ CBM ☐
(IF "GAS") PRODUCTION ☒ STORAGE ☐ DEEP ☒ SHALLOW ☐

LOCATION: ELEVATION 2314.14' WATERSHED HERODS RUNDISTRICT WASHINGTON COUNTY UPSHURQUADRANGLE ALTON LEASE NUMBER 63848SURFACE OWNER JIMMIE R. WOODY, ET. AL. ACREAGE 180.40 (70-04)OIL & GAS ROYALTY OWNER W. H. O'DELL LEASE ACREAGE 5000.00

PROPOSED WORK: DRILL ☒ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☐ PLUG OFF OLD FORMATION ☐
PERFORATE NEW FORMATION ☐ OTHER PHYSICAL CHANGE (SPECIFY) _____

TARGET FORMATION MARCELLUS ESTIMATED DEPTH 7580'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGSADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378COUNTY NAME
PERMIT

1) Date: September 29, 2009
2) Operator's Well Number 33171

3) API Well No.: 47 - 097 -
State County Permit

STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
NOTICE AND APPLICATION FOR A WELL WORK PERMIT

- | | |
|---|---|
| <p>4) Surface Owner(s) to be served:</p> <p>(a) Name <u>Woody Lumber Company Inc.</u></p> <p>Address <u>C/o Jimmie R. & Ellen J. Woody</u></p> <p><u>Robin Woody Williams</u></p> <p><u>24 Vicksburg Road</u></p> <p><u>Buckhannon, WV 26201</u></p> <p>(b) Name <u>Pawpa & Gran LLC.</u></p> <p>Address <u>Rt. 4 Box 467</u></p> <p><u>Buckhannon, WV 26201</u></p> <p>(c) Name <u>Connie D. Rice & Steven W. Woody</u></p> <p>Address <u>24 Vicksburg Road</u></p> <p><u>Buckhannon, WV 26201</u></p> <p>6) Inspector <u>Bill Hatfield</u></p> <p>Address <u>P.O. Box 522</u></p> <p><u>Buckhannon, WV 26201</u></p> <p>Telephone <u>304-767-1828</u></p> | <p>5) (a) Coal Operator</p> <p>Name _____</p> <p>Address _____</p> <p>(b) Coal Owner(s) with Declaration</p> <p>Name <u>Same as Surface</u></p> <p>Address _____</p> <p>(c) Coal Lessee with Declaration</p> <p>Name _____</p> <p>Address _____</p> |
|---|---|

TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

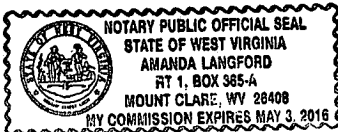
X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2). I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through on the above named parties by:

 Personal Service (Affidavit attached)
 X Certified Mail (Postmarked postal receipt attached)
 Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.
By: Rodney J. Biggs
Its: Designated Agent-Vice President - Operations
Address P.O. Box 1248
Jane Lew, WV 26378
Telephone 304-884-2029 (Please contact Landman Jed Spratt) JTS

Subscribed and sworn before me this 8th day of October, 1994

My Commission Expires _____ Notary Public

My Commission Expires _____

COAL OPERATOR, OWNER, OR LESSEE WAIVER

County: Upshur

Operator's Well Number 33171

Operator: Dominion Exploration & Production, Inc.

INSTRUCTIONS TO COAL OPERATOR, OWNER, OR LESSEE

To the coal operator, owner, or lessee named on page WW2-A. You are hereby notified that any objection you wish to make or are required to make by Code 22-6-15, 16 or 17, must be filed with the Chief of the Office of Oil and Gas within fifteen (15) days after the receipt of this application by the Office.

WAIVER

The undersigned coal operator _____ / owner _____ / lessee _____ / of the coal under this well location has examined this proposed well location. If a mine map exists which covers the area of well location, the well location has been added to the mine map. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

Date: _____

Woody Lumber Co. Inc.
By: Date to Woody
Its President

Dee L Woody

Connie D Rice

Connie D Rice

Steven W Woody

Steven W Woody

Pawpe & Co. Jimmie R Woody managing member

J R Woody

SURFACE OWNER WAIVER

County: Upshur

Operator's Well Number 33171

Operator

Dominion Exploration & Production, Inc.

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

The well operator named on page WW2A is applying for a permit from the State to do oil or gas well work. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

Or District Oil & Gas Inspector
(name and address on WW2-A)

Time Limits and methods for filing comments. The law requires these materials to be served on or before the date the operator files his Application. You have **FIFTEEN (15) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

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- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation...

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

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VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW2-A, and attachments consisting of pages 1 through ___ including a work order on Form WW2-B, a survey plat, and a soil and erosion plan, all for proposed well work on my surface land as described therein.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON

FOR EXECUTION BY A CORPORATION, ETC.

Signature

Date

Name
By
Its

Woody Lumber Co Inc
Dale F. Woody
President

Date

Signature

Date

Connie D Rice

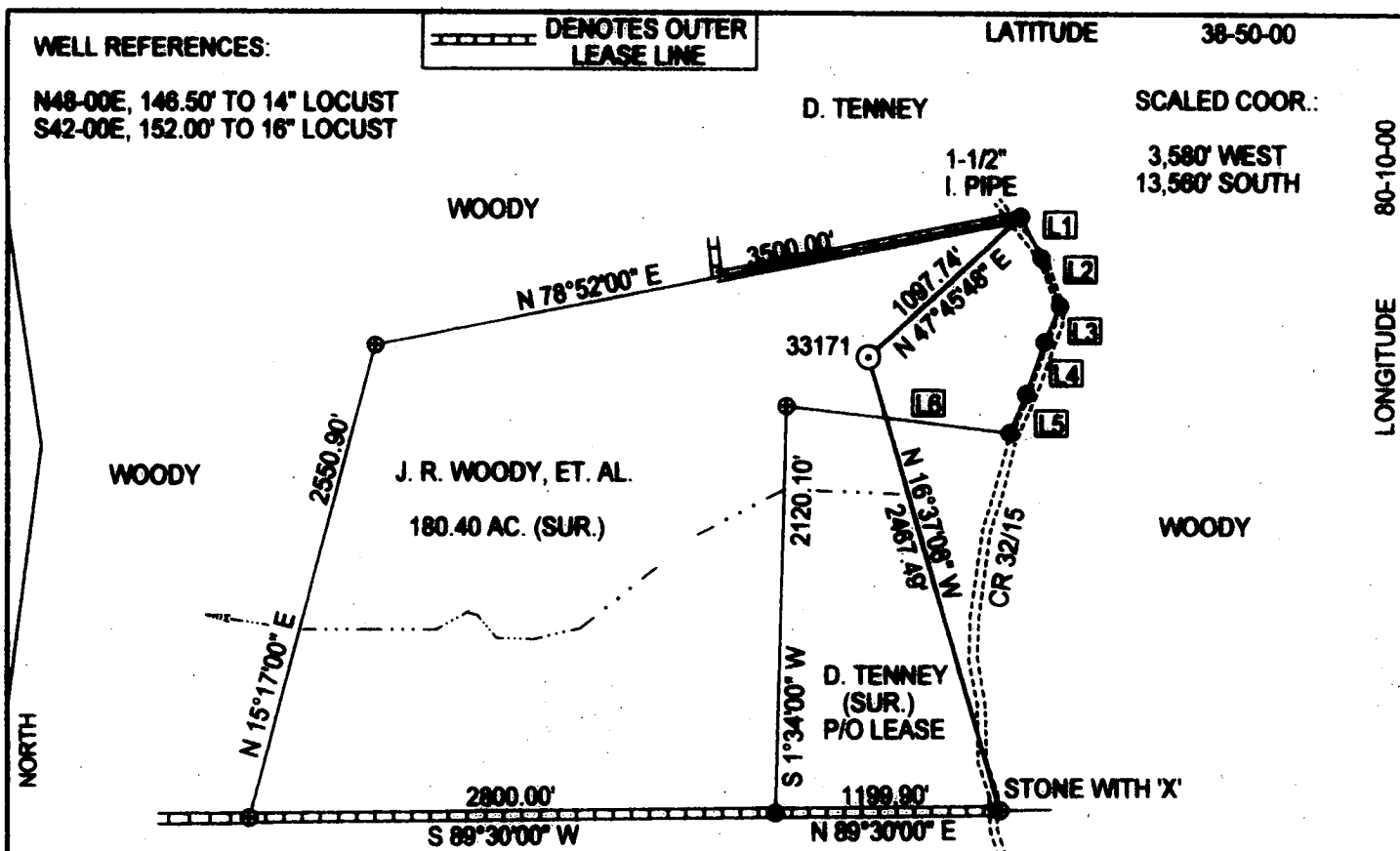
Carie White

Steven W. Woody

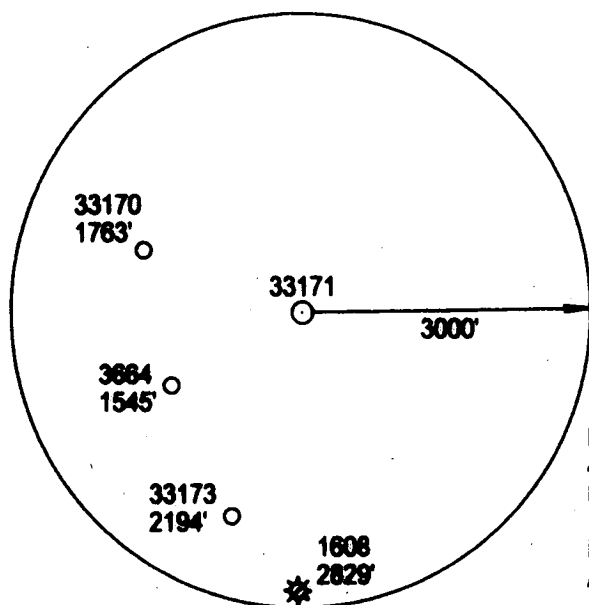
Dale F. Woody

Pampa & Gran LLC

Jimmie R Woody managing member



PENN VIRGINIA OPERATING CO., LLC



Id	Bearing	Distance
L1	S 28°46'00" E	242.50'
L2	S 21°41'00" E	289.90'
L3	S 23°10'00" W	206.00'
L4	S 19°44'00" W	290.40'
L5	S 23°04'00" W	222.60'
L6	N 83°14'00" W	1199.90'

NOTE: WELL IS OVER
400' FROM ANY OUTER
LEASE LINE.

DEEP WELLS IN CIRCLE
ARE 3684, 33170 & 33173.

NAD 27:

38-47-48.11
80-10-45.17

NAD 27 WV NORTH SPC:

33171 = 108,594.48'
1,806,398.31'

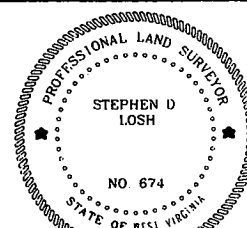
(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER:
DRAWING NUMBER: DEP33171R.PCS
SCALE: 1" = 1000'
MINIMUM DEGREE
OF ACCURACY: SUBMETER
PROVEN SOURCE
OF ELEVATION: DGPS SURVEY
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
#10 McJUNKIN ROAD
MARTINSBURG, WV 25143-2508

FORM WW-6

LAND SURVEYING SERVICES
21 CEDAR LANE, BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 842-5782

DATE: SEPTEMBER 21, 2009

OPERATORS WELL NO.: 33171

API WELL NO.

47-097

STATE COUNTY

PERMIT

WELL TYPE: OIL ☐ GAS ☒ LIQUID INJECTION ☐ WASTE DISPOSAL ☐ CBM ☐
(IF "GAS") PRODUCTION ☒ STORAGE ☐ DEEP ☒ SHALLOW ☐

LOCATION: ELEVATION 2417.50' WATERSHED PANTHER CREEK

DISTRICT WASHINGTON

COUNTY UPSHUR

QUADRANGLE ALTON

LEASE NUMBER 63848

SURFACE OWNER JIMMIE R. WOODY, ET. AL.

ACREAGE 180.40 (7Q-04)

OIL & GAS ROYALTY OWNER W. H. ODELL

LEASE ACREAGE 5000.00

PROPOSED WORK: DRILL ☒ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☐ PLUG OFF OLD FORMATION ☐
PERFORATE NEW FORMATION ☐ OTHER PHYSICAL CHANGE (SPECIFY) _____

TARGET FORMATION MARCELLUS

PLUG & ABANDON ☐ CLEAN OUT & REPLUG ☐

ESTIMATED DEPTH 7680'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC.

DESIGNATED AGENT RODNEY BIGGS

ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME
PERMIT

1) Date: September 29, 2009
2) Operator's Well Number 33173

3) API Well No.: 47 - 097 -
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>Woody Lumber Company Inc.</u>	Name <u> </u>
Address <u>C/o Jimmie R. & Ellen J. Woody</u>	Address <u> </u>
<u>Robin Woody Williams</u>	
<u>24 Vicksburg Road</u>	(b) Coal Owner(s) with Declaration
<u>Buckhannon, WV 26201</u>	Name <u>Same as Surface</u>
(b) Name <u>Pawpa & Gran LLC.</u>	Address <u> </u>
Address <u>Rt. 4 Box 467</u>	
<u>Buckhannon, WV 26201</u>	
(c) Name <u>Connie D. Rice & Steven W. Woody</u>	Name <u> </u>
Address <u>24 Vicksburg Road</u>	Address <u> </u>
<u>Buckhannon, WV 26201</u>	
6) Inspector <u>Bill Hatfield</u>	(c) Coal Lessee with Declaration
Address <u>P.O. Box 522</u>	Name <u> </u>
<u>Buckhannon, WV 26201</u>	Address <u> </u>
Telephone <u>304-767-1828</u>	

TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:

 Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

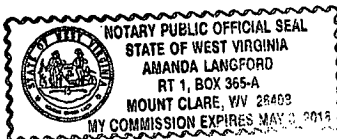
OR
X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through on the above named parties by:

 Personal Service (Affidavit attached)
X Certified Mail (Postmarked postal receipt attached)
 Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.
By: Rodney J. Biggs
Its: Designated Agent-Vice President - Operations
Address P.O. Box 1248
Jane Lew, WV 26378
Telephone 304-884-2029 (Please contact Landman - Jed Spratt)

Subscribed and sworn before me this 8th day of October, 2009
Amanda Langford Notary Public
My Commission Expires May 3, 2016

SURFACE OWNER WAIVER

County: Upshur

Operator's Well Number 33173

Operator

Dominion Exploration & Production, Inc.

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

The well operator named on page WW2A is applying for a permit from the State to do oil or gas well work. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

Or District Oil & Gas Inspector
(name and address on WW2-A)

Time Limits and methods for filing comments. The law requires these materials to be served on or before the date the operator files his Application. You have **FIFTEEN (15) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Comments must be in writing. Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation....

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

List of Water Testing Laboratories. The Office maintains a list of water testing laboratories which you can hire to test your water to establish water quality prior to and after drilling. Contact the Chief to obtain a copy.

VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW2-A, and attachments consisting of pages 1 through ___ including a work order on Form WW2-B, a survey plat, and a soil and erosion plan, all for proposed well work on my surface land as described therein.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON

FOR EXECUTION BY A CORPORATION, ETC.

Signature

Date

Name
By
Its

Woody Lumber Co Inc

Dale F Woody
President

Date

Signature

Date

Connie D. Rice

Connie Rice

Steven W. Woody

Steven Woody

Papaw & Son LLC

Jimmie R Woody Managing Member

Jimmie R Woody

COAL OPERATOR, OWNER, OR LESSEE WAIVER

County: Upshur

Operator's Well Number 33173

Operator: Dominion Exploration & Production, Inc.

INSTRUCTIONS TO COAL OPERATOR, OWNER, OR LESSEE

To the coal operator, owner, or lessee named on page WW2-A. You are hereby notified that any objection you wish to make or are required to make by Code 22-6-15, 16 or 17, must be filed with the Chief of the Office of Oil and Gas within fifteen (15) days after the receipt of this application by the Office.

WAIVER

The undersigned coal operator ____/ owner ____/ lessee ____/ of the coal under this well location has examined this proposed well location. If a mine map exists which covers the area of well location, the well location has been added to the mine map. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

Date: _____

Woody & Sons Co. Inc
By: Dale F Woody
Its: President
Dale F Woody

Connie D Rice

Carie White

Steven W. Woody

[Signature]

Pepaw & Grace LLC Timmie R Woody managing member

[Signature]

WELL REFERENCES:

S20-30E, 149.50' TO 19' W. ASH
S13-00W, 191.00' TO 8" SUGAR

IIIIII DENOTES OUTER
LEASE LINE

NAD 27:

38-47-25.62
80-10-54.23

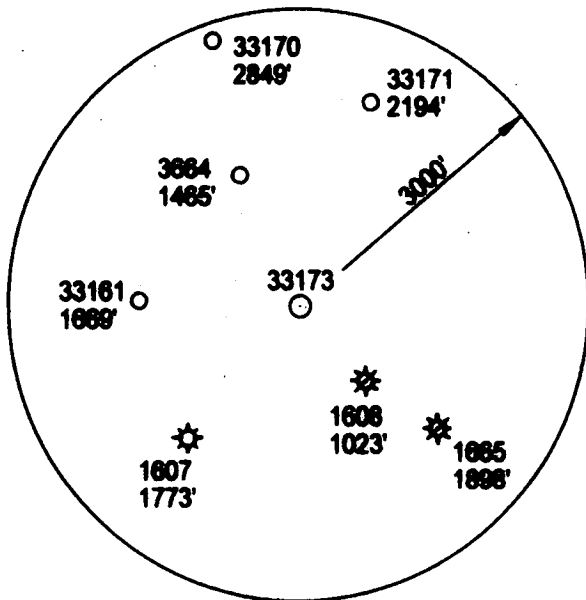
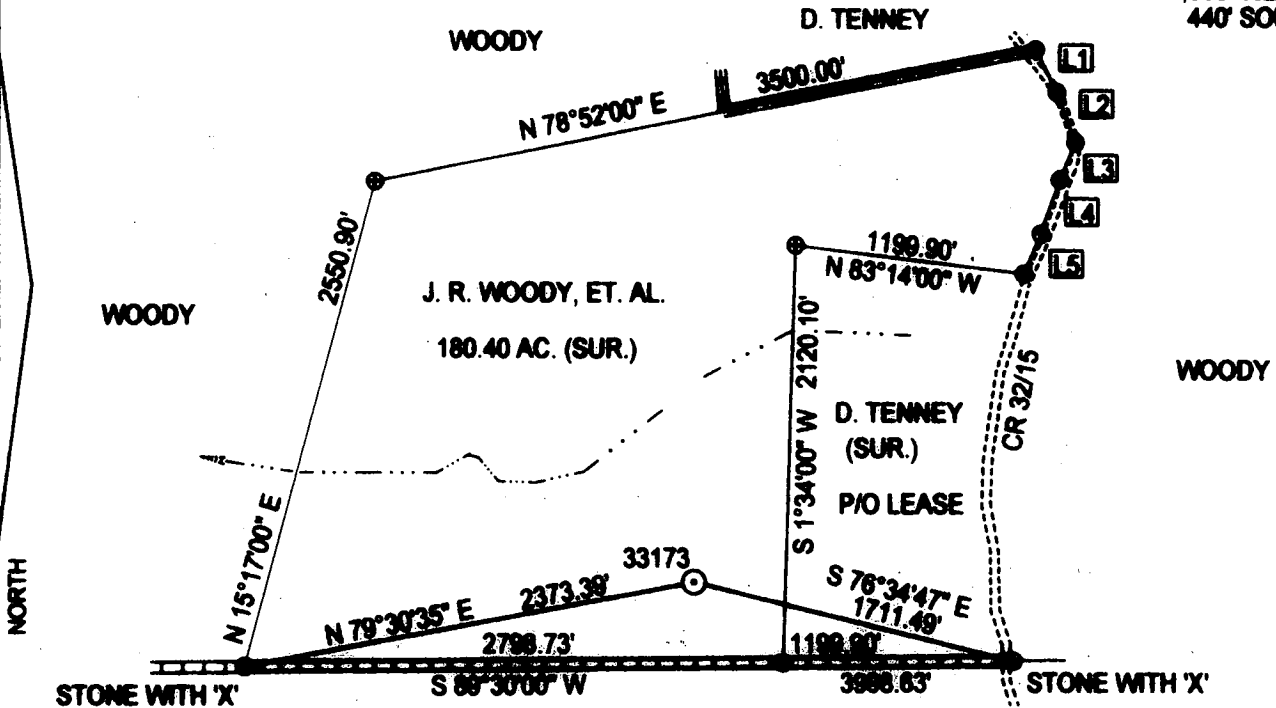
LATITUDE

38-47-30

SCALED COOR.:

4,300' WEST
440' SOUTH

LONGITUDE 80-10-08



PENN VIRGINIA OPERATING CO., LLC

ID	Bearing	Distance
L1	S 28°48'00" E	242.90'
L2	S 21°41'00" E	209.90'
L3	S 23°10'00" W	206.00'
L4	S 19°44'00" W	280.40'
L5	S 23°04'00" W	222.60'

NOTE: WELL IS MORE
THAN 400' FROM ANY
OUTER LEASE LINE.

DEEP WELLS WITHIN
CIRCLE ARE 3684, 33161,
33170 & 33171.

NAD 27 WV NORTH SPC:

33173 = 106,526.33'
1,805,664.96'

(+*) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER:

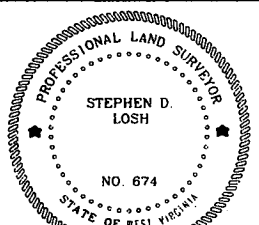
DRAWING NUMBER: DEP33173R.PCSSCALE: 1" = 1000'MINIMUM DEGREE
OF ACCURACY: SUBMETER

PROVEN SOURCE
OF ELEVATION: DGPS SURVEY
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
#10 MCJUNKIN ROAD
NITRO, WV 25143-2505

FORM WW-6

LAND SURVEYING SERVICES
21 CEDAR LANE, BRIDGEPORT, WV 26330
PHONE: 304-642-2018 OR 642-5762

DATE: SEPTEMBER 21, 2009OPERATORS WELL NO.: 33173

API WELL NO.

47-097-

STATE COUNTY PERMIT

WELL TYPE: OIL GAS X LIQUID INJECTION WASTE DISPOSAL CBM
(IF "GAS") PRODUCTION X STORAGE DEEP X SHALLOW

LOCATION: ELEVATION 2448.70' WATERSHED HERODS RUNDISTRICT WASHINGTON COUNTY UPSHURQUADRANGLE ALTON LEASE NUMBER 63048SURFACE OWNER JIMMIE R. WOODY, ET. AL. ACREAGE 180.40 (70-04)OIL & GAS ROYALTY OWNER W. H. O'DELL LEASE ACREAGE 5000.00

PROPOSED WORK: DRILL X CONVERT DRILL DEEPER REDRILL FRACTURE OR STIMULATE PLUG OFF OLD FORMATION
PERFORATE NEW FORMATION OTHER PHYSICAL CHANGE (SPECIFY)

TARGET FORMATION MARCELLUS PLUG & ABANDON CLEAN OUT & REPLUG
ESTIMATED DEPTH 7700'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGSADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME PERMIT



west virginia department of environmental protection

Oil and Gas Conservation Commission
601 57th Street, SE Charleston, WV 25304
(304)926-0499, Ext 1656

Joe Manchin III, Governor
Randy C. Huffman, Cabinet Secretary
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION
EXPLORATION & PRODUCTION, INC. FOR
EXCEPTION LOCATIONS REGARDING THE DRILLING
OF THE PROPOSED WELLS IDENTIFIED AS THE
JIMMIE WOODY #33161, #33171 AND THE #33173 TO
BE LOCATED IN WASHINGTON DISTRICT, UPSHUR
COUNTY, WEST VIRGINIA.

**DOCKET NO. 207
CAUSE NO. 200**

NOTICE OF CONTINUANCE

Dominion Exploration & Production, Inc. ("Dominion") has requested the Commission grant exceptions to Rule 39.1.4.2 for the proposed wells identified as the Jimmy Woody #33161, #33171 and the #33173 to be located in Washington District, Upshur County, West Virginia. The proposed well locations do not meet the spacing requirements imposed on deep wells; therefore, Dominion has requested approval from the Commission for an exception to the rule as provided in 39.1.4.3.

The matter has been scheduled as stated below:

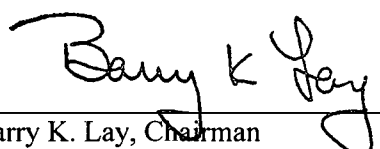
DATE: March 18, 2010

TIME: 10:00 am

PLACE: Department of Environmental Protection
Oil and Gas Conservation Commission
601 57th Street, SE
Charleston, WV 25304

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF WEST VIRGINIA

By: 
Barry K. Lay, Chairman

Dated this 23rd February, 2010, at Charleston, West Virginia.

Promoting a healthy environment.

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Track & Confirm

Search Results

Label/Receipt Number: 9171 0821 3339 3615 5483 13

Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**

Your item was delivered at 7:55 AM on March 4, 2010 in JANE LEW, WV 26378.

Detailed Results:

- **Delivered, March 04, 2010, 7:55 am, JANE LEW, WV 26378**
- **Notice Left, March 03, 2010, 8:39 am, JANE LEW, WV 26378**
- **Electronic Shipping Info Received, March 02, 2010**

Notification Options

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Get current event information or updates for your item sent to you or others by email. [Go >](#)

Return Receipt (Electronic)

Verify who signed for your item by email. [Go >](#)

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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United States Postal Service



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Track & Confirm

Search Results

Label/Receipt Number: **9171 0821 3339 3615 5483 06**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**

Your item was delivered at 11:54 AM on March 4, 2010 in
BUCKHANNON, WV 26201.

Detailed Results:

- **Delivered, March 04, 2010, 11:54 am, BUCKHANNON, WV 26201**
- **Notice Left, March 03, 2010, 11:50 am, BUCKHANNON, WV 26201**
- **Electronic Shipping Info Received, March 02, 2010**

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Return Receipt (Electronic)

Verify who signed for your item by email. [Go >](#)

Track & Confirm

Enter Label/Receipt Number.

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Equal Opportunity
Notice of NondiscriminationAccessibility
Notice of Nondiscrimination

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Track & Confirm

Search Results

Label/Receipt Number: **9171 0821 3339 3615 5482 90**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**

Your item was delivered at 10:30 AM on March 3, 2010 in
BUCKHANNON, WV 26201.

Detailed Results:

- Delivered, March 03, 2010, 10:30 am, BUCKHANNON, WV 26201
- Electronic Shipping Info Received, March 02, 2010

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

[Go >](#)

Return Receipt (Electronic)

Verify who signed for your item by email.

[Go >](#)

Track & Confirm

Enter Label/Receipt Number.

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No FEAR Act EEO Data

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Track & Confirm

Search Results

Label/Receipt Number: 9171 0821 3339 3615 5482 83

Class: First-Class Mail®

Service(s): Return Receipt Electronic

Status: Delivered

Your item was delivered at 11:54 AM on March 4, 2010 in
BUCKHANNON, WV 26201.

Detailed Results:

- Delivered, March 04, 2010, 11:54 am, BUCKHANNON, WV 26201
- Notice Left, March 03, 2010, 11:50 am, BUCKHANNON, WV 26201
- Electronic Shipping Info Received, March 02, 2010

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Return Receipt (Electronic)

Verify who signed for your item by email. [Go >](#)

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA

United States
Postage & Fees PaidInspector General
Post Office Inspection

Docket # _____
Certified Mail

Dominion Exploration & Production, Inc.
Attention: Greg Cunningham
P O Box 1248
Jane Lew, WV 26378

91 7108 2133 3936 1554 8313

Woody Lumber Company Inc.
24 Vicksburg Road
Buckhannon, WV 26201

91 7108 2133 3936 1554 8306

Pawpa & Gran, LLC
Route 4, Box 467
Buckhannon, WV 26201

91 7108 2133 3936 1554 8290

Connie Rice & Steven Woody
24 Vicksburg Road
Buckhannon, WV 26201

91 7108 2133 3936 1554 8283

Raines, Cindy J

From: Carmela Rice [carmela@recorddeltaonline.com]
Sent: Tuesday, January 19, 2010 8:29 AM
To: Raines, Cindy J
Subject: Re: Legal ad

I received your legal and it will run on 1-27 and 2-3 as requested

Please note our new email address for sending legals:

office@recorddeltaonline.com

Thanks
Carmela

----- Original Message -----

From: Raines, Cindy J
To: deltaoffice@wvdsi.net
Sent: Monday, January 18, 2010 2:17 PM
Subject: Legal ad

Please print the attached "Notice of Hearing" as a Class II legal ad in the Record Delta on January 27 and again on February 3, 2010. The invoice should be sent to:

Oil and Gas Conservation Commission Attention: Cindy Raines

601 57th Street, SE

Charleston, WV 25304

Please confirm receipt of this request by return email.

Thank you.

Cindy Raines

Raines, Cindy J

From: Raines, Cindy J
Sent: Monday, January 18, 2010 2:17 PM
To: deltaoffice@wvdsi.net
Subject: Legal ad
Attachments: OGCC.207-200.docx

Please print the attached "Notice of Hearing" as a Class II legal ad in the Record Delta on January 27 and again on February 3, 2010. The invoice should be sent to:

Oil and Gas Conservation Commission Attention: Cindy Raines

601 57th Street, SE

Charleston, WV 25304

Please confirm receipt of this request by return email.

Thank you.

Cindy Raines



west virginia department of environmental protection

Oil and Gas Conservation Commission
601 57th Street, SE Charleston, WV 25304
(304)926-0499, Ext 1656

Joe Manchin III, Governor
Randy C. Huffman, Cabinet Secretary
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION
EXPLORATION & PRODUCTION, INC. FOR
EXCEPTION LOCATIONS REGARDING THE DRILLING
OF THE PROPOSED WELLS IDENTIFIED AS THE
JIMMIE WOODY #33161, #33171 AND THE #33173 TO
BE LOCATED IN WASHINGTON DISTRICT, UPSHUR
COUNTY, WEST VIRGINIA.

DOCKET NO. 207
CAUSE NO. 200

NOTICE OF HEARING

Dominion Exploration & Production, Inc. ("Dominion") has requested the Commission grant exceptions to Rule 39.1.4.2 for the proposed wells identified as the Jimmy Woody #33161, #33171 and the #33173 to be located in Washington District, Upshur County, West Virginia. The proposed well locations do not meet the spacing requirements imposed on deep wells; therefore, Dominion has requested approval from the Commission for an exception to the rule as provided in 39.1.4.3.

The matter has been scheduled as stated below:

DATE: February 10, 2010

TIME: 10:30 am

PLACE: Department of Environmental Protection
Oil and Gas Conservation Commission
601 57th Street, SE
Charleston, WV 25304

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF WEST VIRGINIA

By: _____

Barry K. Lay, Chairman

Dated this 19th of January 2010, at Charleston, West Virginia.

Promoting a healthy environment.

OGCC

207-200

Dominion Exploration & Production, Inc.
Attention: Greg Cunningham
P O Box 1248
Jane Lew, WV 26378

91 7108 2133 3936 1554 8078

Woody Lumber Company, Inc.
24 Vicksburg Road
Buckhannon, WV 26201

91 7108 2133 3936 1554 8085

Pawpa & Gran, LLC
Route 4, Box 467
Buckhannon, WV 26201

91 7108 2133 3936 1554 8092

Connie Rice & Steven Woody
24 Vicksburg Road
Buckhannon, WV 26201

91 7108 2133 3936 1554 8108

Dominion Exploration & Production, Inc.
One Dominion Drive, Jane Lew, WV 26378
Mailing Address: P.O. Box 1248
Jane Lew, WV 26378
Web Address: www.dom.com



November 2, 2009

James Martin
West Virginia DEP
Director Oil & Gas
601 57th St. SE
Charleston, WV 25304

RECEIVED
Office of Oil & Gas
NOV - 4 2009
WV Department of
Environmental Protection

Re: **Variance Hearings**
Well's 33161, 33171, 33173
97-3694 97-3693 97-3692
Dear Mr. Martin:

Dominion E & P, Inc. would like to request Variance Hearings regarding the above captioned wells, as to the following:

1. The wells mentioned are within 400' to the nearest lease line.
2. The wells are proposed to be drilled to the Marcellus Shale. Dominion E & P, Inc. wishes to drill approximately 100' into the Onondaga Formation for rat hole and logging purposes only.

If you have any questions or concerns, please contact Greg Cunningham at (304) 884-2168.

Thank you for your attention regarding this matter.

Sincerely,

Amanda Langford
Land Administrator

97-03694

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
WELL WORK PERMIT APPLICATION

1) Well Operator Dominion Exploration & Production, Inc. Operator ID County District Quadrangle

2) Operators Well Number: 33161 3) Elevation: 2314'

4) Well Type: (a) Oil _____ or Gas X _____
 (b) If Gas: Production X / _____ / _____
 Deep X / _____ / _____
 Shallow _____

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7560' Feet

7) Approximate fresh water strata depths: 50', 110', 210'

8) Approximate salt water depths: None

9) Approximate coal seam depths: 100', 210', 360', 460'

10) Does land contain coal seams tributary to active mine? No

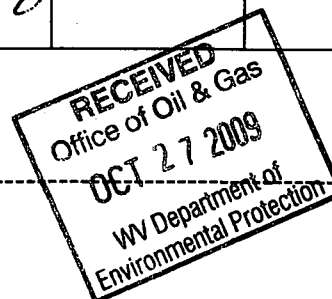
11) Describe proposed well work Drill new well and complete Marcellus Shale, uphole zones will be completed at a later date. Well will be drilled to the Marcellus Shale + 100' to TD in the Huntersville Chert for logging and rathole purposes.

12) **CASING AND TUBING PROGRAM**

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	42	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	525'	525'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7560'	7560'	200 cu ft
Tubing						
Liners						

Packers: Kind _____
 Sizes _____
 Depths Set _____

016616
 650



1) Date: September 29, 2009
2) Operator's Well Number 33161

3) API Well No.: 47 - 097 -
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:

(a) Name Woody Lumber Company Inc.
Address C/o Jimmie R. & Ellen J. Woody

Robin Woody Williams
24 Vicksburg Road
Buckhannon, WV 26201

(b) Name Pawpa & Gran LLC.
Address Rt. 4 Box 467
Buckhannon, WV 26201

(c) Name Connie D. Rice & Steven W. Woody
Address 24 Vicksburg Road
Buckhannon, WV 26201

6) Inspector Bill Hatfield
Address P.O. Box 522
Buckhannon, WV 26201
Telephone 304-767-1828

5) (a) Coal Operator

Name _____
Address _____

(b) Coal Owner(s) with Declaration

Name Same as Surface
Address _____

Name _____
Address _____

(c) Coal Lessee with Declaration

Name _____
Address _____

TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

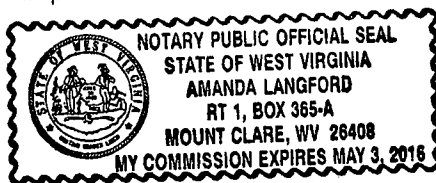
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through _____ on the above named parties by:

- _____ Personal Service (Affidavit attached)
X _____ Certified Mail (Postmarked postal receipt attached)
_____ Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator

By: _____

Its: _____

Address _____

Telephone _____

Dominion Exploration & Production, Inc.

Rodney J. Biggs

Designated Agent-Vice President - Operations

P.O. Box 1248

Jane Lew, WV 26378

304-884-2029 (Please contact Landman -Jed Spratt)

Subscribed and sworn before me this 31st day of October, 2009

Amanda Langford
My Commission Expires May 3 2016

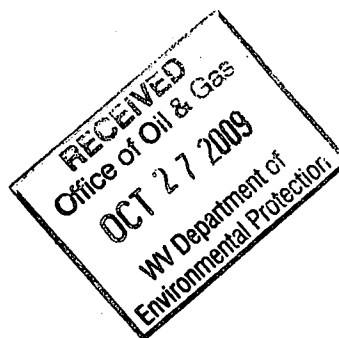
Notary Public

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE
Chapter 22, Article 6, Section 8(d)
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

<u>Grantor, lessor, etc.</u>	<u>Grantee, lessee, etc.</u>	<u>Royalty</u>	<u>Book/Page</u>
Wesley H. O'Dell, et ux	W.C. Bond, Trustee	1/8	54/63



Well Operator: Dominion Exploration & Production, Inc.
By: Rodney J. Biggs *[Signature]*
Its: Designated Agent-Vice President-Operations

JTS

West Virginia Division of Environmental Protection
Office of Oil and Gas

NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

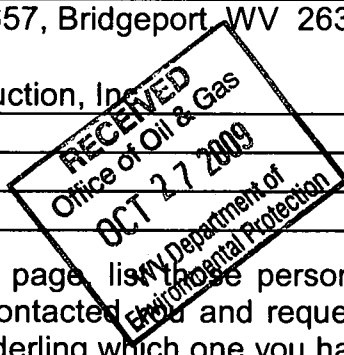
Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u> X </u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u> </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration & Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

NONE



DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 097 - _____
Operator's Well No. 33161

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID _____

Watershed HERODS RUN Quadrangle ALTON

Elevation 2314.14' County UPSHUR District WASHINGTON

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

X Land Application
____ Underground Injection (UIC Permit Number _____)
____ Reuse (at API Number _____)
____ Off Site Disposal (Supply for WW-9 for disposal location)
____ Other (Explain) _____

Proposed Work For Which Pit Will Be Used:

X Drilling _____ Swabbing
____ Workover _____ Plugging
____ Other (Explain) _____

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

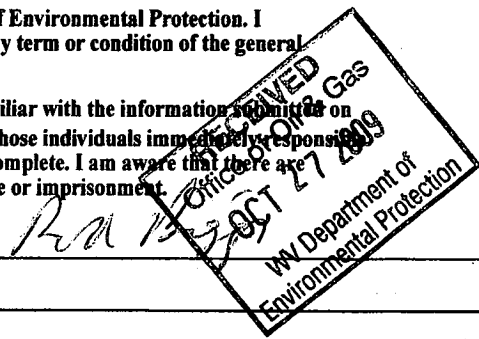
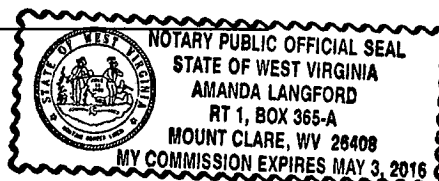
Company Official Signature RODNEY J. BIGGS

Company Official (Typed Name) RODNEY J. BIGGS

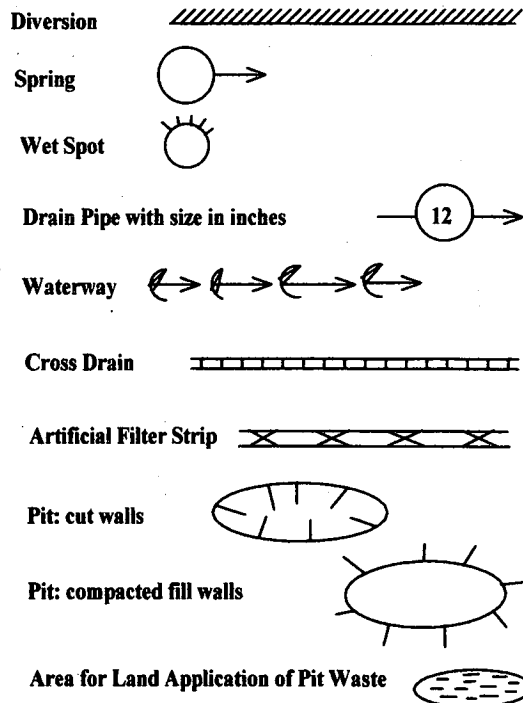
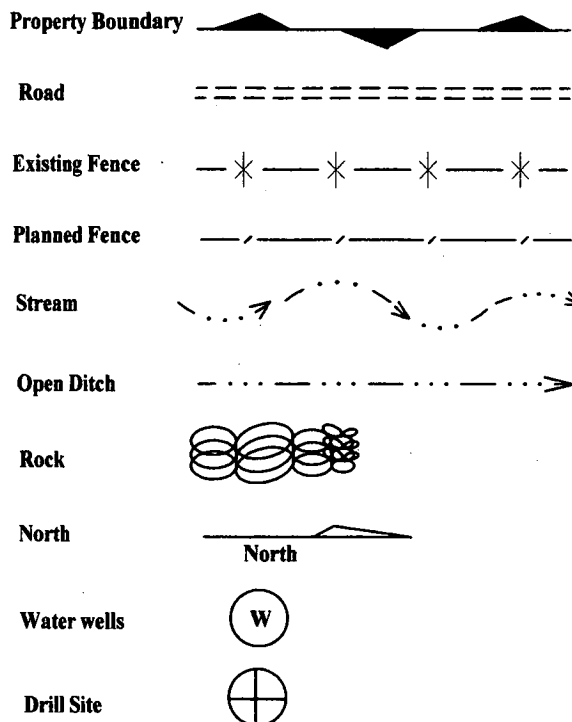
Company Official Title VICE PRESIDENT OF OPERATIONS

Subscribed and sworn before me this 8th day of October, 2009
Amanda Langford Notary Public

My commission expires May 3, 2016



LEGEND



Proposed Revegetation Treatment: Acres Disturbed 4.50 Prevegetation pH

Lime according to pH test Tons/acre or correct to pH 6.5

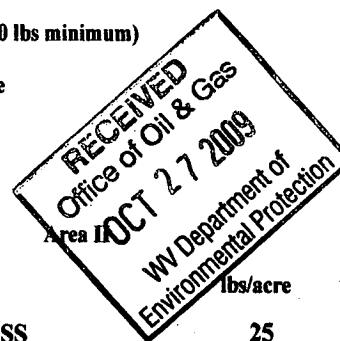
Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)

Mulch HAY OR STRAW 2 Tons/acre

Seed Mixtures

Area I	
Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10



Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Bill Hatfield

Title: oil & gas inspector

Date: 10-22-09

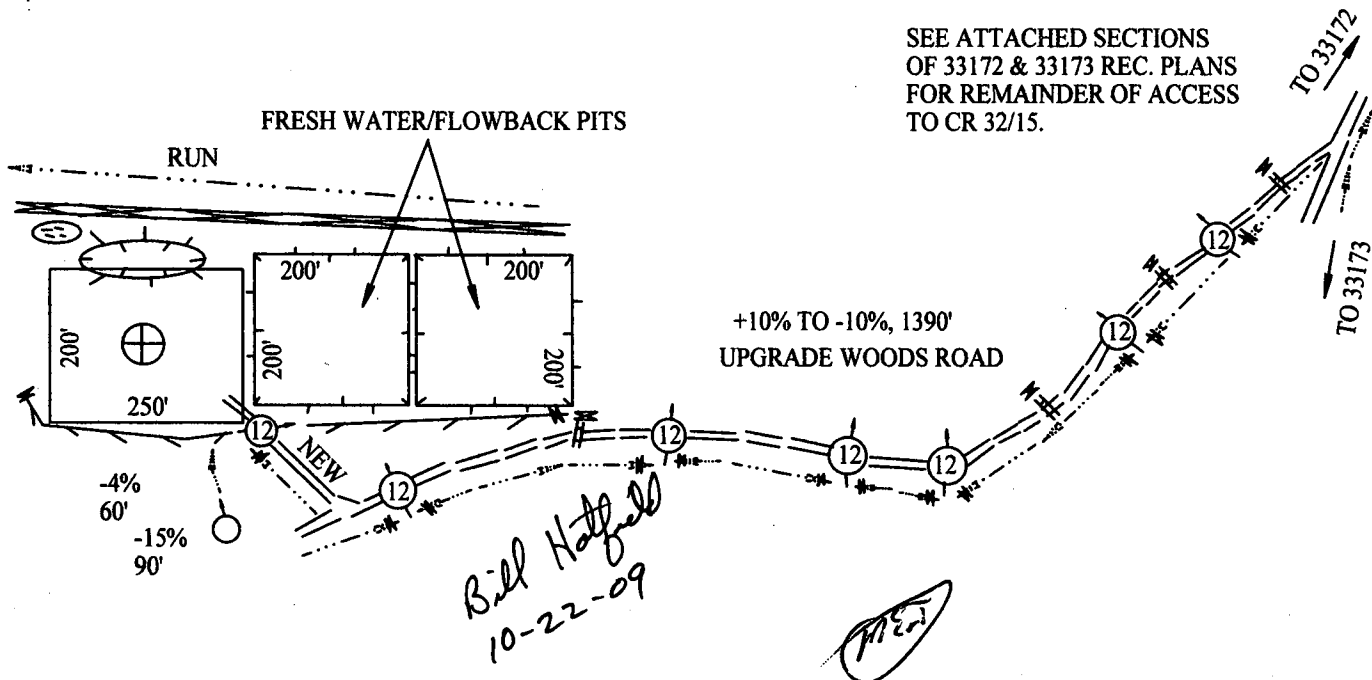
Field Reviewed? () Yes

() No

SURFACE OWNER:

JIMMIE R. WOODY, ET. AL.
24 VICKSBURG RD.
BUCKHANNON, WV 26201

SEE ATTACHED SECTIONS
OF 33172 & 33173 REC. PLANS
FOR REMAINDER OF ACCESS
TO CR 32/15.



LOCATION IS ON A WOODED HILLSIDE BENCH.
USABLE TIMBER WILL BE CUT AND STACKED.
TOPSOIL WILL BE STOCKPILED FOR USE IN
REVEGETATION.

ACCESS ROAD LEAVES CR 32/15 AND UTILIZES
AN EXISTING ROCK BASE ROAD TO A POINT
WHERE A WOODS ROAD WILL BE UPGRADED
AROUND THE HILL. A NEW ROAD WILL THEN
BE CUT A SHORT DISTANCE DOWN THE HILL
TO THE SITE. ROCK WILL BE USED WHERE
NECESSARY.

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: HERODS RUN

DISTRICT: WASHINGTON COUNTY: UPSHUR

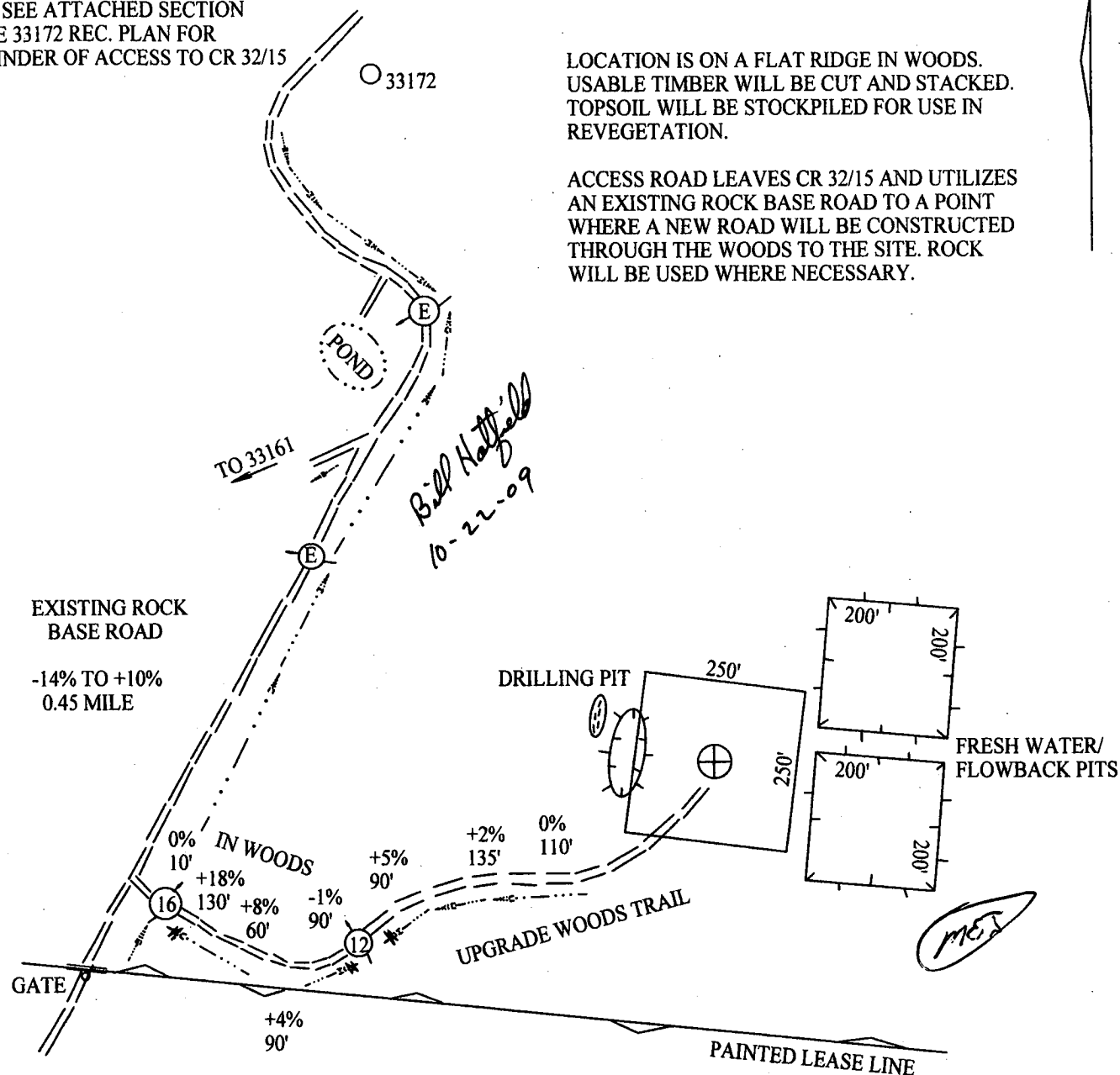
QUADRANGLE: ALTON WELL NO.: 33161

DATE: 10/19/09 PAGE ____ of ____

NOTE: SEE ATTACHED SECTION
OF THE 33172 REC. PLAN FOR
REMAINDER OF ACCESS TO CR 32/15

LOCATION IS ON A FLAT RIDGE IN WOODS.
USABLE TIMBER WILL BE CUT AND STACKED.
TOPSOIL WILL BE STOCKPILED FOR USE IN
REVEGETATION.

ACCESS ROAD LEAVES CR 32/15 AND UTILIZES
AN EXISTING ROCK BASE ROAD TO A POINT
WHERE A NEW ROAD WILL BE CONSTRUCTED
THROUGH THE WOODS TO THE SITE. ROCK
WILL BE USED WHERE NECESSARY.



SURFACE OWNER:

JIMMIE R. WOODY, ET. AL.
24 VICKSBURG RD.
BUCKHANNON, WV 26201

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

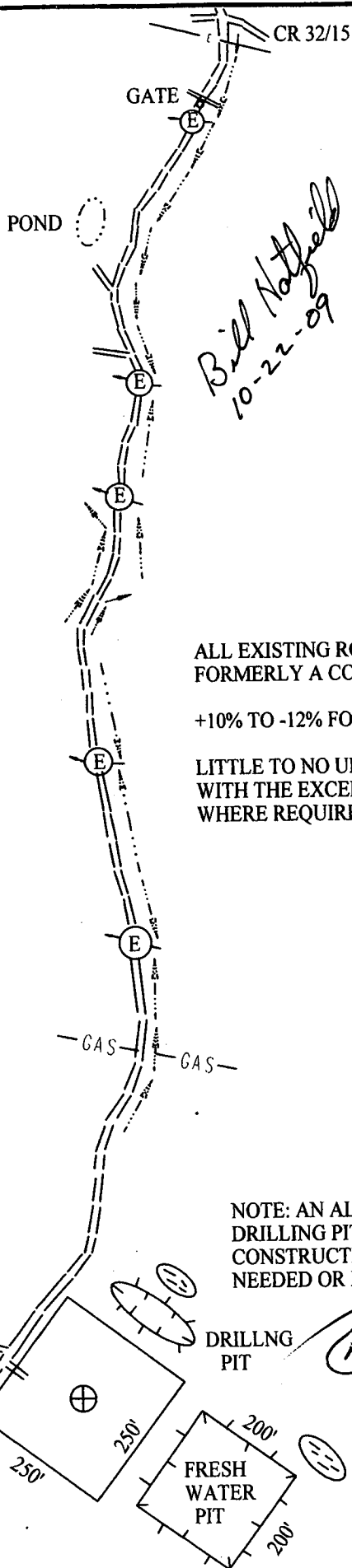
JANE LEW, WV 26378

WATERSHED: HERODS RUN

DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33173

DATE: 10/19/09 PAGE of



LOCATION IS ON AN OLD RECLAIMED STRIP MINE AREA. ANY USABLE TREES WILL BE CUT AND STACKED. TOPSOIL WILL BE STOCKPILED FOR USE IN REVEGETATION.

ACCESS ROAD IS ALL EXISTING COAL HAUL ROAD AND IS ALL ON LEASE.

ALL EXISTING ROAD WHICH WAS FORMERLY A COAL HAUL ROAD.

+10% TO -12% FOR 1.20 MILES

LITTLE TO NO UPGRADING NEEDED WITH THE EXCEPTION OF ROCK WHERE REQUIRED.

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

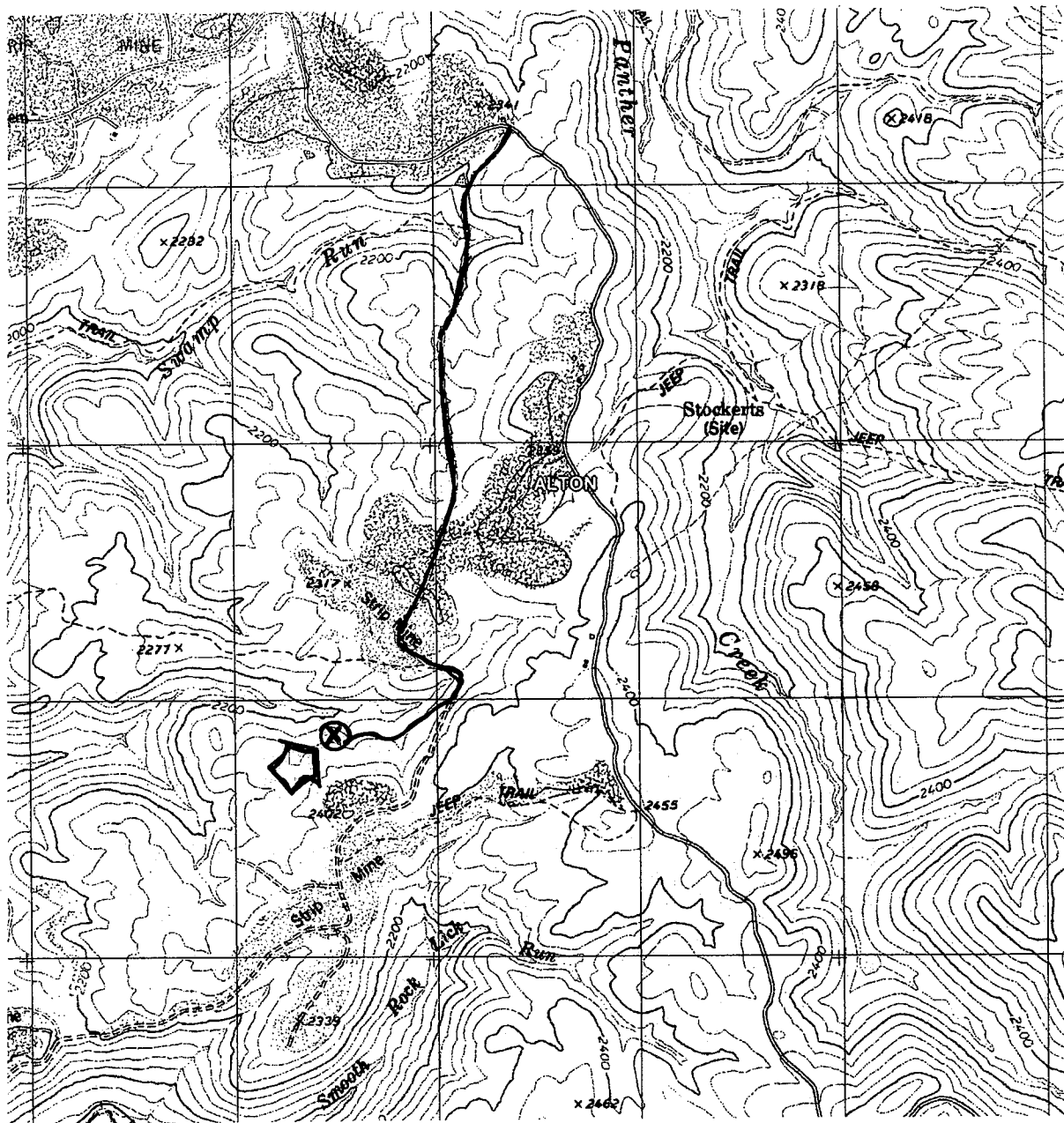
JANE LEW, WV 26378

WATERSHED: HERODS RUN

DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33172

DATE: 01/31/09 PAGE ____ of ____



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: HERODS RUN

DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33161

DATE: 07/29/09 PAGE ____ of ____

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

SURFACE OWNER WAIVER

97-03694

County: Upshur

Operator's Well Number 33161

Operator

Dominion Exploration &
Production, Inc.

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

The well operator named on page WW2A is applying for a permit from the State to do oil or gas well work. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

Or District Oil & Gas Inspector
(name and address on WW2-A)

Time Limits and methods for filing comments. The law requires these materials to be served on or before the date the operator files his Application. You have **FIFTEEN (15) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Comments must be in writing. Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation..."

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

List of Water Testing Laboratories. The Office maintains a list of water testing laboratories which you can hire to test your water to establish water quality prior to and after drilling. Contact the Chief to obtain a copy.

VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW2-A, and attachments consisting of pages 1 through ___ including a work order on Form WW2-B, a survey plat, and a soil and erosion plan, all for proposed well work on my surface land as described therein.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON

FOR EXECUTION BY A CORPORATION, ETC.

Signature Date

Name _____
By _____
Its _____ Date Oct 27, 2009
Signature Date

RECEIVED
Office of Oil & Gas
OCT 30 2009
WV Department of
Environmental Protection

7008 1830 0004 4740 0655

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$
 Certified Fee
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees

Postmark Here

AMANDA

Connie D. Rice &
 Steven W. Woody
 24 Vicksburg Road
 Buckhannon, WV 26201

33161, 33171, & 33172

For instructions

7008 1830 0004 4740 0679

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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 For delivery information visit our website at www.usps.com

OFFICIAL USE

AMANDA

Certified Fee
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)

Postmark Here

Pawpaw & Gran, LLC.
 Rt. 4 Box 467
 Buckhannon, WV 26201

33161, 33171, & 33172

For instructions

7008 1830 0004 4740 0662

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

AMANDA

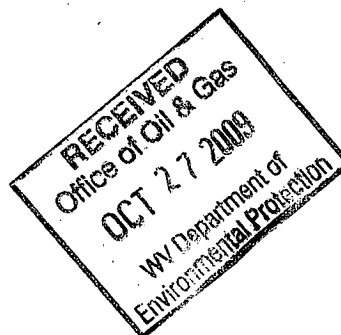
Postage \$
 Certified Fee
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)

Postmark Here

Woody Lumber Company, Inc.
 C/o Jimmie R. & Ellen J. Woody
 Robin Woody Williams
 24 Vicksburg Road
 Buckhannon, WV 26201

33161, 33171, & 33172

For instructions



WELL REFERENCES:

N89-00W, 167.50' TO 6" SUGAR
N58-00W, 161.00' TO 15" POPLAR

NAD 27:

38-47-26.02
80-11-15.30

LATITUDE

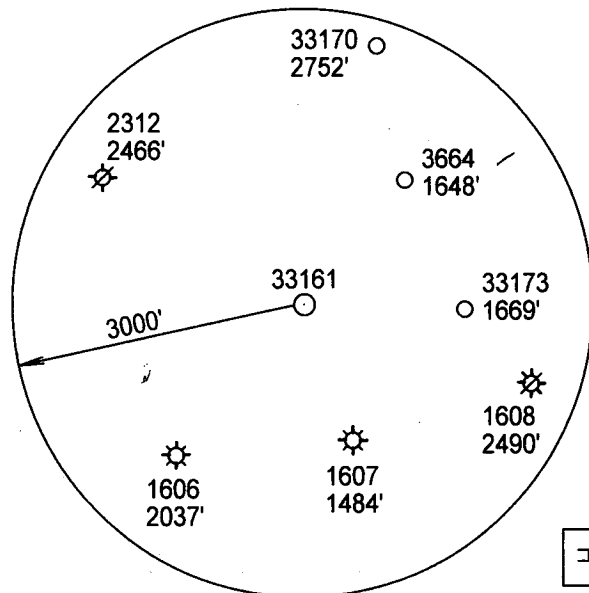
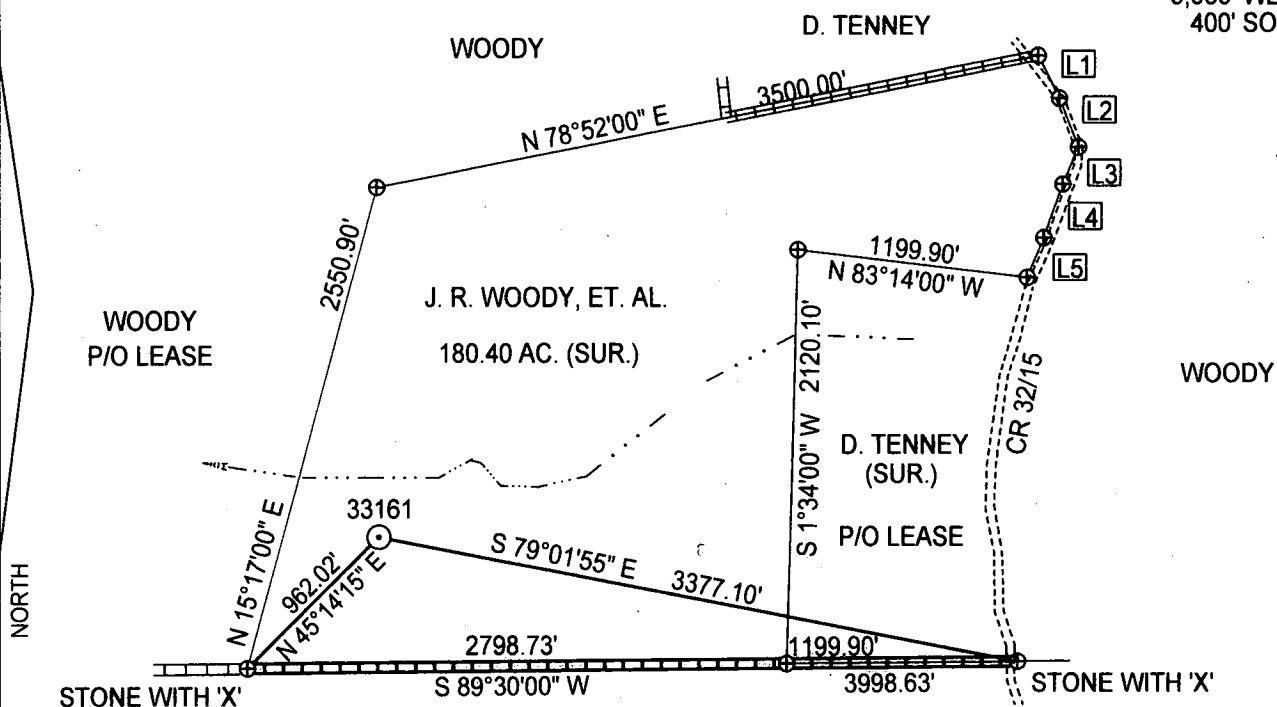
38-47-30

SCALED COOR.:

5,960' WEST
400' SOUTH

80-10-08

LONGITUDE



PENN VIRGINIA OPERATING CO., LLC

Id	Bearing	Distance
L1	S 26°46'00" E	242.50'
L2	S 21°41'00" E	269.90'
L3	S 23°10'00" W	206.00'
L4	S 19°44'00" W	290.40'
L5	S 23°04'00" W	222.60'

NOTE: WELL IS OVER 400'
FROM ANY OUTER LEASE
LINE.

DEEP WELLS IN CIRCLE
ARE 3669, 33170 & 33173.

——— DENOTES OUTER LEASE LINE

NAD 27 WV NORTH SPC:

33161 = 106,579.37'
1,803,997.04'

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER: _____
DRAWING NUMBER: DEP33161R.PCS
SCALE: 1" = 1000'
MINIMUM DEGREE
OF ACCURACY: SUBMETER
PROVEN SOURCE
OF ELEVATION: DGPS SURVEY
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND
PRESCRIBED BY THE DEPARTMENT OF ENERGY

(SIGNED)

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
#10 McJUNKIN ROAD
NITRO, WV 25143-2506
FORM WW-6

LAND SURVEYING SERVICES
21 CEDAR LANE, BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 842-5762

DATE: SEPTEMBER 21, 2009OPERATORS WELL NO.: 33161

API WELL NO.

47 — 097 — 03694
STATE COUNTY PERMIT

WELL TYPE: OIL GAS X LIQUID INJECTION WASTE DISPOSAL CBM
(IF "GAS") PRODUCTION X STORAGE DEEP X SHALLOW

LOCATION: ELEVATION 2314.14' WATERSHED HERODS RUNDISTRICT WASHINGTON COUNTY UPSHURQUADRANGLE ALTON LEASE NUMBER 63848SURFACE OWNER JIMMIE R. WOODY, ET. AL. ACREAGE 180.40 (7Q-04)OIL & GAS ROYALTY OWNER W. H. O'DELL LEASE ACREAGE 5000.00

PROPOSED WORK: DRILL X CONVERT DRILL DEEPER REDRILL FRACTURE OR STIMULATE PLUG OFF OLD FORMATION
PERFORATE NEW FORMATION OTHER PHYSICAL CHANGE (SPECIFY)

TARGET FORMATION MARCELLUS PLUG & ABANDON CLEAN OUT & REPLUG
ESTIMATED DEPTH 7560'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGSADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME

PERMIT

9703693

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
WELL WORK PERMIT APPLICATION

1) Well Operator Dominion Exploration & Production, Inc. Operator ID County District Alton
97 6 206

2) Operators Well Number: 33171 3) Elevation: 2417'

4) Well Type: (a) Oil _____ or Gas X _____
 (b) If Gas: Production X / Underground Storage _____
 Deep X / Shallow _____

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7660' Feet

7) Approximate fresh water strata depths: 50', 100', 210'

8) Approximate salt water depths: None

9) Approximate coal seam depths: 100', 210', 360', 460'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale, uphole zones will be
completed at a later date. Well will be drilled to the Marcellus Shale + 100' to TD in the
Huntersville Chert for logging and rathole purposes.

12) **CASING AND TUBING PROGRAM**

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	<u>Size</u>	<u>Grade</u>	<u>Weight per ft</u>	<u>For Drilling</u>	<u>Left in Well</u>	<u>Fill -up (Cu. Ft.)</u>
Conductor	16"	LS	42	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	525'	525'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7660'	7660'	200 cu ft
Tubing				<i>Bill Hatfield</i> 10-5-09		
Liners						

Packers: Kind _____
 Sizes _____
 Depths Set _____

016616
650

RECEIVED
 Office of Oil & Gas
 OCT 27 2009
 WV Department of
 Environmental Protection

1) Date: September 29, 2009
2) Operator's Well Number 33171

3) API Well No.: 47 - 097 - 03693
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:
(a) Name Woody Lumber Company Inc.
Address C/o Jimmie R. & Ellen J. Woody
Robin Woody Williams
24 Vicksburg Road
Buckhannon, WV 26201
(b) Name Pawpa & Gran LLC.
Address Rt. 4 Box 467
Buckhannon, WV 26201
(c) Name Connie D. Rice & Steven W. Woody
Address 24 Vicksburg Road
Buckhannon, WV 26201
6) Inspector Bill Hatfield
Address P.O. Box 522
Buckhannon, WV 26201
Telephone 304-767-1828

5) (a) Coal Operator
Name _____
Address _____
(b) Coal Owner(s) with Declaration
Name Same as Surface
Address _____
(c) Coal Lessee with Declaration
Name _____
Address _____

TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:

OR Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

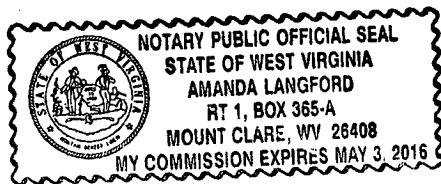
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through on the above named parties by:

 Personal Service (Affidavit attached)
X Certified Mail (Postmarked postal receipt attached)
 Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.
By: Rodney J. Biggs
Its: Designated Agent-Vice President - Operations
Address P.O. Box 1248
Jane Lew, WV 26378
Telephone 304-884-2029 (Please contact Landman Jean Spatz)

Subscribed and sworn before me this 8th day of October, 2009

Amanda Langford
My Commission Expires May 3, 2016

RECEIVED
Office of Oil & Gas
OCT 27 2009
Notary Public WV Department of Environmental Protection

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE
Chapter 22, Article 6, Section 8(d)
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that -

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
Wesley H. O'Dell, et ux	W.C. Bond, Trustee	1/8	54/63

Well Operator: Dominion Exploration & Production, Inc.
By: Rodney J. Biggs
Its: Designated Agent-Vice President - Operations

57
RECEIVED
Office of Oil & Gas
OCT 27 2009
WV Department of
Environmental Protection

West Virginia Division of Environmental Protection
Office of Oil and Gas

NOTICE TO SURFACE OWNERS

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<u> </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration & Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

David Tenney RR 2 Box 145 Adrian, WV 26210

RECEIVED
Office of Oil & Gas
OCT 27 2009
WV Department of
Environmental Protection

DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 097 - 03693
Operator's Well No. 33171

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID _____

Watershed PANTHER CREEK Quadrangle ALTON

Elevation 2417.50' County UPSHUR District WASHINGTON

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

X Land Application
____ Underground Injection (UIC Permit Number _____)
____ Reuse (at API Number _____)
____ Off Site Disposal (Supply for WW-9 for disposal location)
____ Other (Explain) _____

Proposed Work For Which Pit Will Be Used:

X Drilling _____ Swabbing
____ Workover _____ Plugging
____ Other (Explain) _____

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature RODNEY J. BIGGS *Rod Biggs*

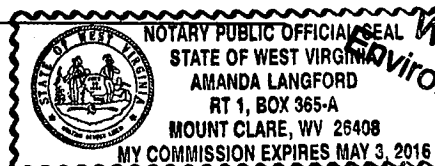
Company Official (Typed Name) RODNEY J. BIGGS

Company Official Title VICE PRESIDENT OF OPERATIONS

Subscribed and sworn before me this 8th day of October, 20 09

Notary Public

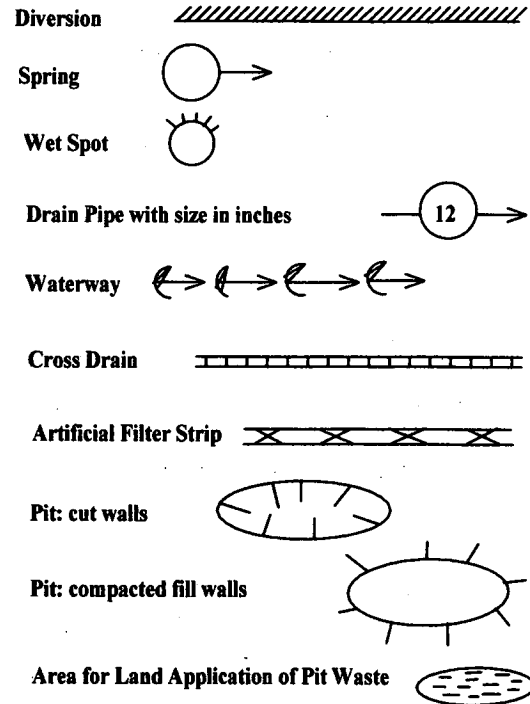
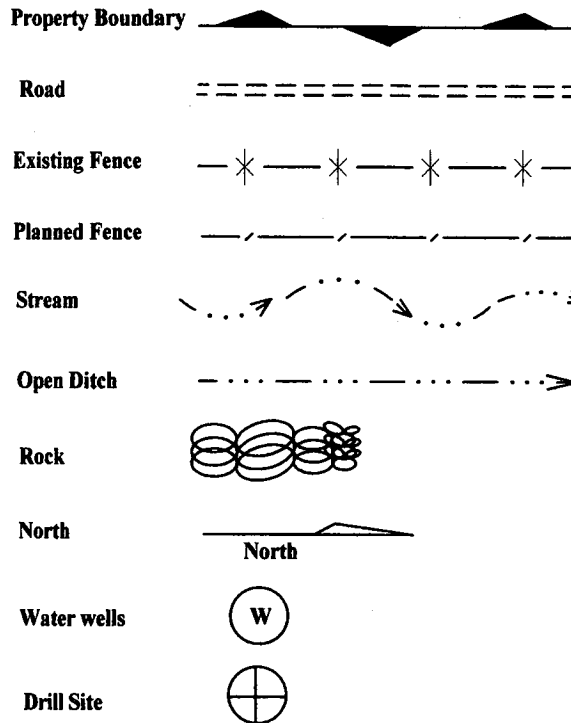
My commission expires May 3, 2016



RECEIVED
Office of Oil & Gas
OCT 27 2009
WV Department of
Environmental Protection

LEGEND

97-03693



Proposed Revegetation Treatment: Acres Disturbed 4.00 Prevegetation pH

Lime according to pH test Tons/acre or correct to pH 6.5

Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)

Mulch HAY OR STRAW 2 Tons/acre

Seed Mixtures

Area I	
Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Area II	
Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Bill Hatfield

Title: oil & gas inspector

Date: 10-22-09

Field Reviewed? () Yes () No

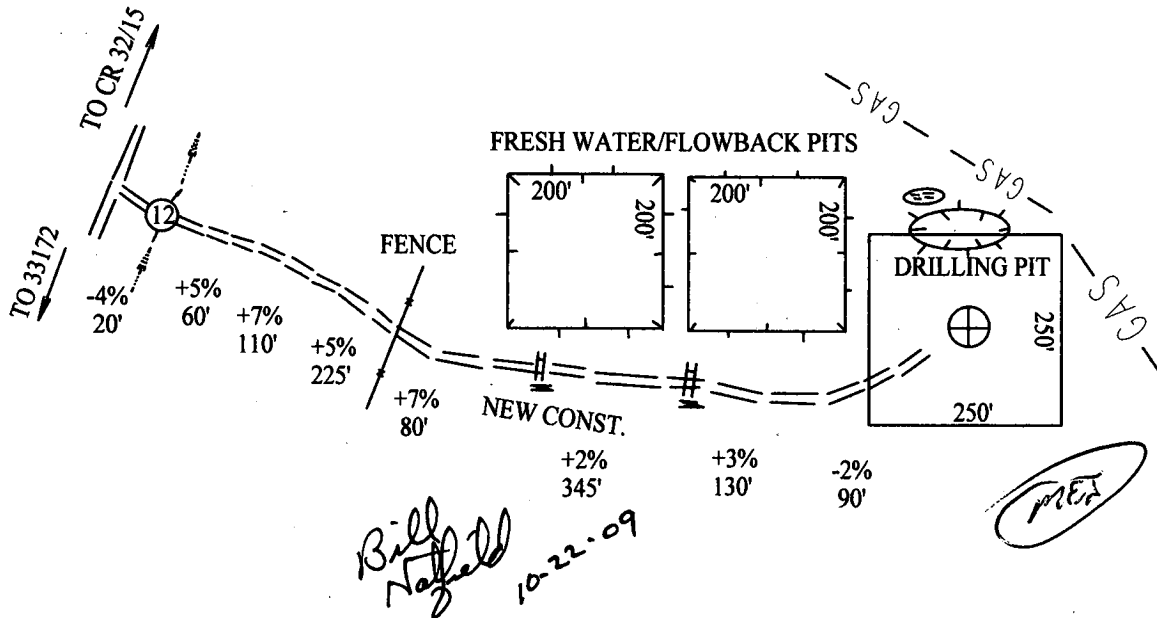
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97-03693

SURFACE OWNER:

JIMMIE R. WOODY, ET. AL.
24 VICKSBURG RD.
BUCKHANNON, WV 26201

NOTE: SEE ATTACHED SECTION OF
THE 33172 REC. PLAN FOR REMAINDER
OF ACCESS TO CR 32/15.



LOCATION IS ON A MOSTLY FLAT RIDGE
IN A LARGE RECLAIMED STRIP AREA.
USABLE TIMBER WILL BE CUT AND STACKED.
TOPSOIL WILL BE STOCKPILED FOR USE IN
REVEGETATION.

ACCESS ROAD LEAVES CR 32/15 AND UTILIZES
AN EXISTING ROCK BASE ROAD TO A POINT
WHERE A NEW ROAD WILL BE BUILT ACROSS
THE RECLAIMED STRIP AREA TO THE SITE.
ROCK WILL BE USED WHERE NECESSARY.

RECEIVED
Office of Oil & Gas
OCT 27 2009
WV Department of Environmental Protection

DRAWINGS TO ACCOMPANY FORM WV-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: PANTHER CREEK

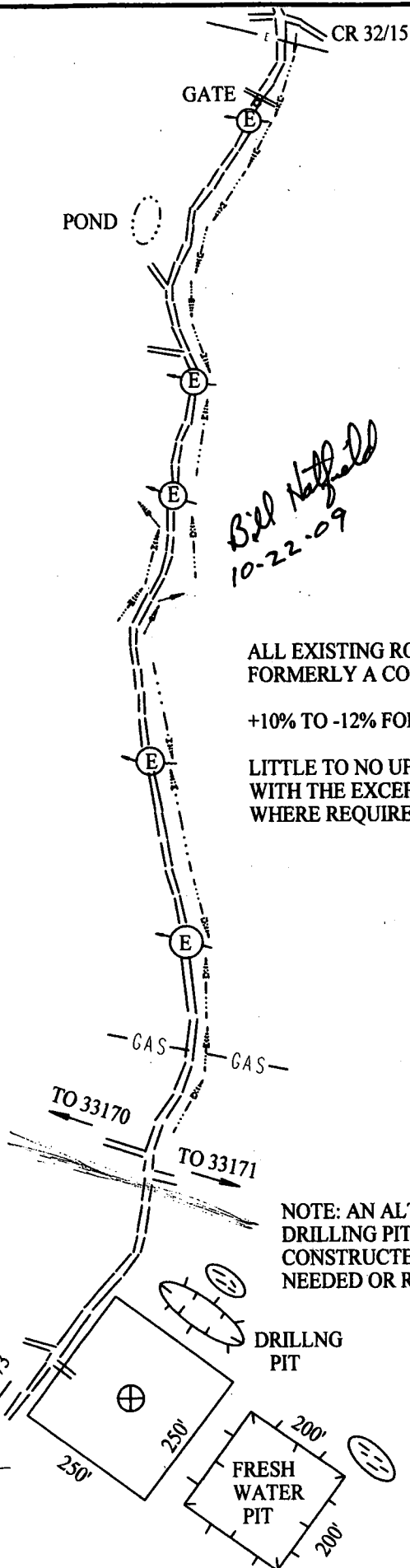
DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33171

DATE: 10/19/09 PAGE of

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

97-03693



LOCATION IS ON AN OLD RECLAIMED STRIP MINE AREA. ANY USABLE TREES WILL BE CUT AND STACKED. TOPSOIL WILL BE STOCKPILED FOR USE IN REVEGETATION.

ACCESS ROAD IS ALL EXISTING COAL HAUL ROAD AND IS ALL ON LEASE.

ALL EXISTING ROAD WHICH WAS FORMERLY A COAL HAUL ROAD.

+10% TO -12% FOR 1.20 MILES

LITTLE TO NO UPGRADING NEEDED WITH THE EXCEPTION OF ROCK WHERE REQUIRED.

NOTE: AN ALTERNATE DRILLING PIT WILL BE CONSTRUCTED IF NEEDED OR REQUIRED.

RECEIVED
Office of Oil & Gas
OCT 27 2009
WV Department of Environmental Protection
LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26307
PHONE: 304-842-2018 OR 5769

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

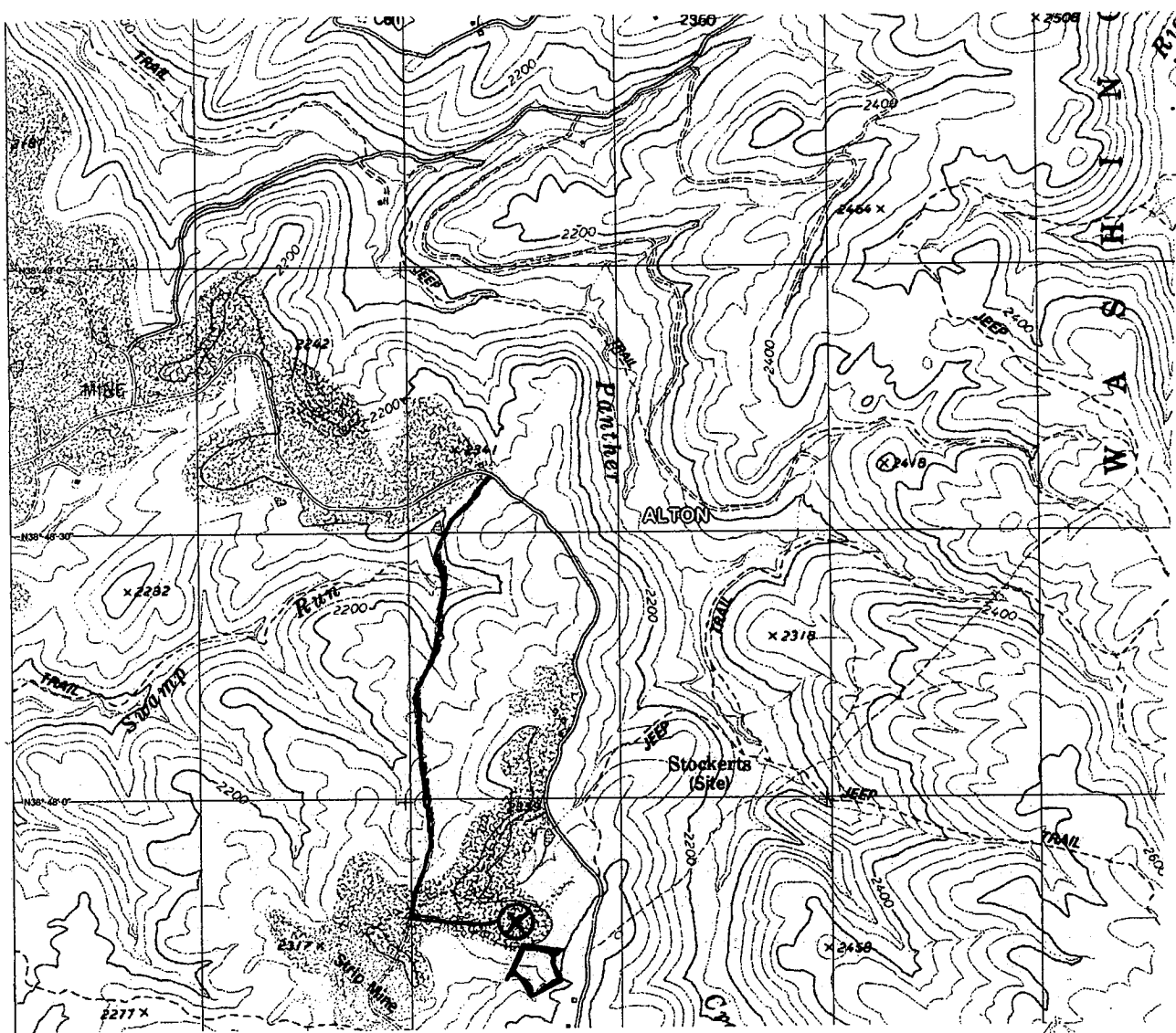
WATERSHED: HERODS RUN

DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33172

DATE: 01/31/09 PAGE of

97-03693



RECEIVED
Office of Oil & Gas
UCT 27 2009
WV Department of
Environmental Protection

DRAWINGS TO ACCOMPANY FORM WV-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: PANTHER CREEK

DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33171

DATE: 07/31/09 PAGE of

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

7008 1830 0004 4740 0655

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Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees

AMANDA

Postmark Here: **OCT 23 2009**

Connie D. Rice &
Steven W. Woody
24 Vicksburg Road
Buckhannon, WV 26201

33161, 33171, & 33172

7008 1830 0004 4740 0679

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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OFFICIAL USE

AMANDA

Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)

Postmark Here

Pawpaw & Gran, LLC.
Rt. 4 Box 467
Buckhannon, WV 26201

33161, 33171, & 33172

7008 1830 0004 4740 0662

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

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Postage \$
Certified Fee
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AMANDA

Postmark Here: **OCT 23 2009**

Woody Lumber Company, Inc.
C/o Jimmie R. & Ellen J. Woody
Robin Woody Williams
24 Vicksburg Road
Buckhannon, WV 26201

33161, 33171, & 33172

RECEIVED
Office of Oil & Gas
OCT 27 2009
WV Department of
Environmental Protection

WELL REFERENCES:

N48-00E, 146.50' TO 14" LOCUST
S42-00E, 152.00' TO 16" LOCUST

————— DENOTES OUTER
LEASE LINE

LATITUDE

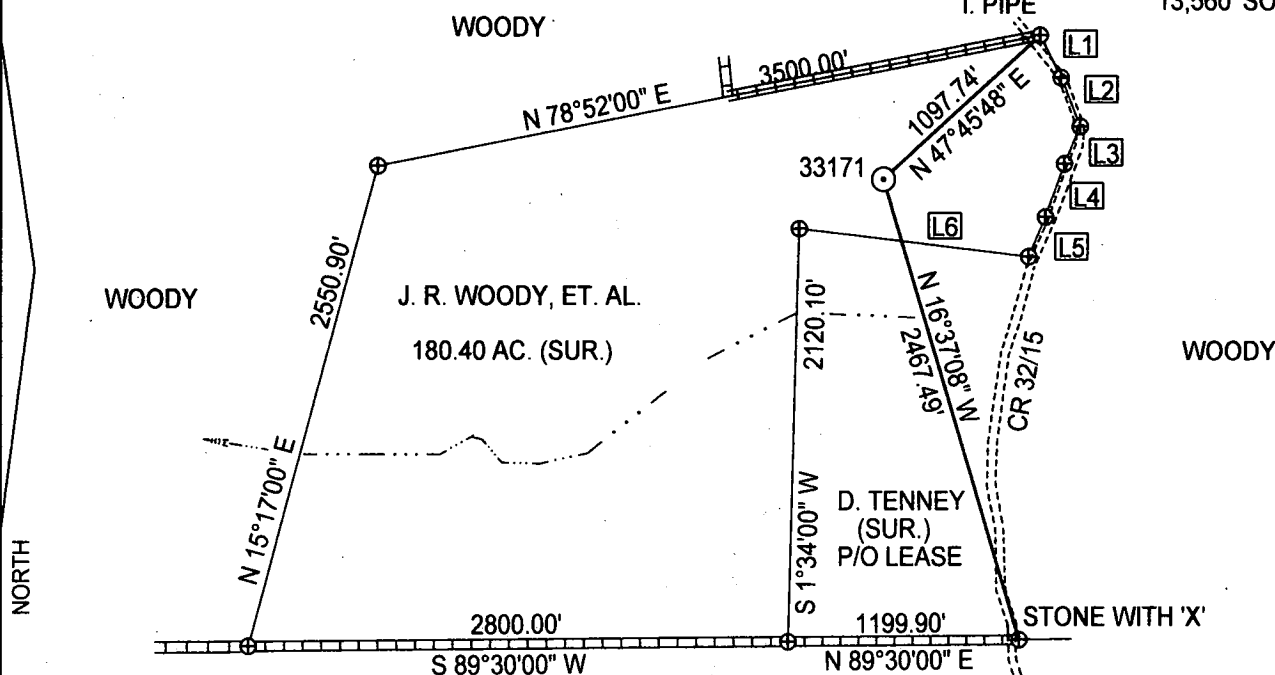
38-50-00

D. TENNEY

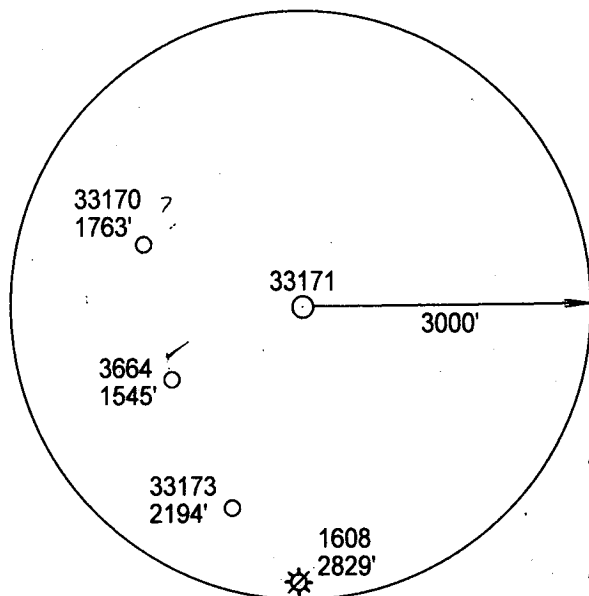
SCALED COOR.:

3,580' WEST
13,560' SOUTH

LONGITUDE 80-10-00



PENN VIRGINIA OPERATING CO., LLC



Id	Bearing	Distance
L1	S 26°46'00" E	242.50'
L2	S 21°41'00" E	269.90'
L3	S 23°10'00" W	206.00'
L4	S 19°44'00" W	290.40'
L5	S 23°04'00" W	222.60'
L6	N 83°14'00" W	1199.90'

NOTE: WELL IS OVER
400' FROM ANY OUTER
LEASE LINE.

DEEP WELLS IN CIRCLE
ARE 3669, 33170 & 33173.

NAD 27:

38-47-46.11
80-10-45.17

NAD 27 WV NORTH SPC:

33171 = 108,594.48'
1,806,398.31'

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER:

DRAWING NUMBER: DEP33171R.PCSSCALE: 1" = 1000'MINIMUM DEGREE
OF ACCURACY:SUBMETER

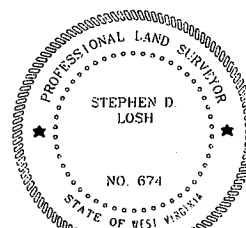
PROVEN SOURCE

OF ELEVATION: DGPS SURVEYSUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
FORM WW-6 #10 McJUNKIN ROAD
NITRO, WV 25143-2506

LAND SURVEYING SERVICES
21 CEDAR LANE, BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 842-5762

DATE: SEPTEMBER 21, 2009OPERATORS WELL NO.: 33171

API WELL NO.

47-097-03693
STATE COUNTY PERMIT

WELL TYPE: OIL GAS X LIQUID INJECTION WASTE DISPOSAL CBM
(IF "GAS") PRODUCTION X STORAGE DEEP X SHALLOW

LOCATION: ELEVATION 2417.50' WATERSHED PANTHER CREEKDISTRICT WASHINGTON

COUNTY

UPSHUR

QUADRANGLE

ALTON

LEASE NUMBER

63848

SURFACE OWNER

JIMMIE R. WOODY, ET. AL.

ACREAGE

180.40 (7Q-04)

OIL & GAS ROYALTY OWNER

W. H. O'DELL

LEASE ACREAGE

5000.00

PROPOSED WORK: DRILL X CONVERT DRILL DEEPER REDRILL FRACTURE OR STIMULATE PLUG OFF OLD FORMATION
PERFORATE NEW FORMATION OTHER PHYSICAL CHANGE (SPECIFY)

TARGET FORMATION

MARCELLUSPLUG & ABANDON CLEAN OUT & REPLUG

ESTIMATED DEPTH

7660'

WELL OPERATOR

DOMINION EXPLORATION & PRODUCTION, INC.

DESIGNATED AGENT

RODNEY BIGGS

ADDRESS

P. O. BOX 1248 JANE LEW, WV 26378

ADDRESS

P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME PERMIT

97-03692

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
WELL WORK PERMIT APPLICATION

1) Well Operator Dominion Exploration & Production, Inc. 97 6 206
Operator ID County District Quadrangle

2) Operators Well Number: 33173 3) Elevation: 2448'

4) Well Type: (a) Oil _____ or Gas X _____
 (b) If Gas: Production X / _____ Underground Storage _____
 Deep X / _____ Shallow _____

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7700' Feet

7) Approximate fresh water strata depths: 50', 240'

8) Approximate salt water depths: None

9) Approximate coal seam depths: 240', 390', 490'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale, uphole zones will be
completed at a later date. Well will be drilled to the Marcellus Shale + 100' to TD in the
Huntersville Chert for logging and rathole purposes.

12) **CASING AND TUBING PROGRAM**

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	42	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	550'	550'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1550'	1550'	CTS
Production	4 1/2"	P-110	11.6	7700'	7700'	200 cu ft
Tubing				<i>Bill Hattall 10-5-09</i>		
Liners						

Packers: Kind _____
 Sizes _____
 Depths Set _____

0.16616

650



1) Date: September 29, 2009
2) Operator's Well Number 33173

3) API Well No.: 47 - 097 - 03692
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:
(a) Name Woody Lumber Company Inc.
Address C/o Jimmie R. & Ellen J. Woody
Robin Woody Williams
24 Vicksburg Road
Buckhannon, WV 26201
(b) Name Pawpa & Gran LLC.
Address Rt. 4 Box 467
Buckhannon, WV 26201
(c) Name Connie D. Rice & Steven W. Woody
Address 24 Vicksburg Road
Buckhannon, WV 26201
6) Inspector Bill Hatfield
Address P.O. Box 522
Buckhannon, WV 26201
Telephone 304-767-1828

5) (a) Coal Operator
Name _____
Address _____
(b) Coal Owner(s) with Declaration
Name Same as Surface
Address _____
(c) Coal Lessee with Declaration
Name _____
Address _____

TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

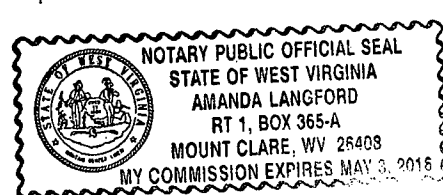
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through _____ on the above named parties by:

- Personal Service (Affidavit attached)
X Certified Mail (Postmarked postal receipt attached)
 Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.
By: Rodney J. Biggs
Its: Designated Agent-Vice President - Operations
Address P.O. Box 1248
Jane Lew, WV 26378
Telephone 304-884-2029 (Please contact Landman - Jed Spratt)

Subscribed and sworn before me this 8th day of October, 2009
Amanda Langford Notary Public
My Commission Expires May 3, 2016

Form WW-2A-1
(4/99)

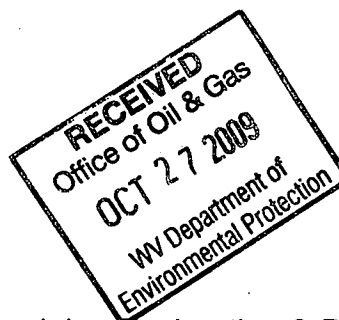
Operator's Well Number 33173

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE
Chapter 22, Article 6, Section 8(d)
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
Wesley H. O'Dell, et ux	W.C. Bond, Trustee	1/8	54/63



Well Operator: Dominion Exploration & Production, Inc.
By: Rodney J. Biggs
Its: Designated Agent-Vice President - Operations

JTS

West Virginia Division of Environmental Protection
Office of Oil and Gas

NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u> X </u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u> </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration & Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

David Tenney RR 2 Box 145 Adrian, WV 26210

DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 097 - 03692
Operator's Well No. 33173

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID _____

Watershed HERODS RUN Quadrangle ALTON

Elevation 2448.70' County UPSHUR District WASHINGTON

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Will a synthetic line be used in the pit? YES

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____ Underground Injection (UIC Permit Number _____)
____ Reuse (at API Number _____)
____ Off Site Disposal (Supply for WW-9 for disposal location)
____ Other (Explain) _____

Proposed Work For Which Pit Will Be Used:

X Drilling _____ Swabbing
____ Workover _____ Plugging
____ Other (Explain) _____

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature RODNEY J. BIGGS

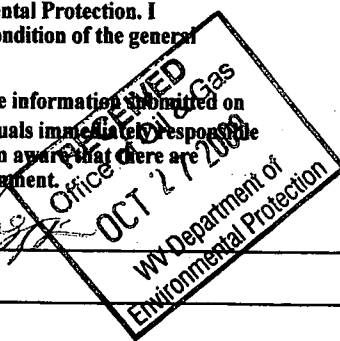
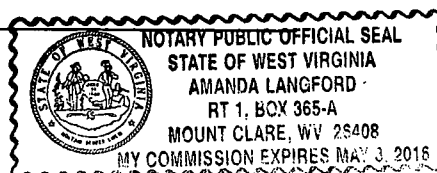
Company Official (Typed Name) RODNEY J. BIGGS

Company Official Title VICE PRESIDENT OF OPERATIONS

Subscribed and sworn before me this 8th day of October, 2009

Notary Public

My commission expires May 3, 2016

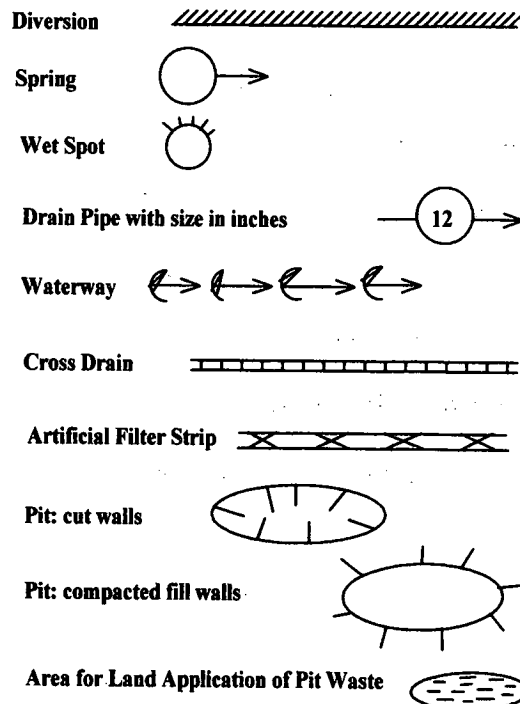
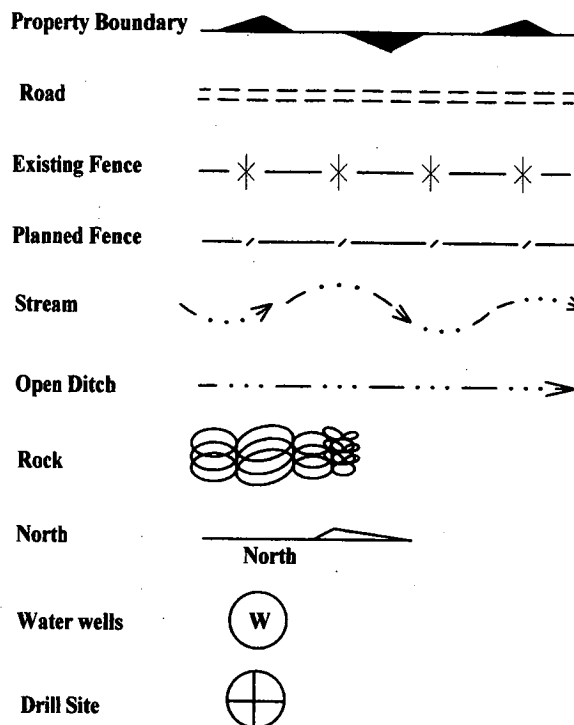


JTS

ME

97-03692

LEGEND



Proposed Revegetation Treatment: Acres Disturbed 4.00 Prevegetation pH

Lime according to pH test Tons/acre or correct to pH 6.5

Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)

Mulch HAY OR STRAW 2 Tons/acre

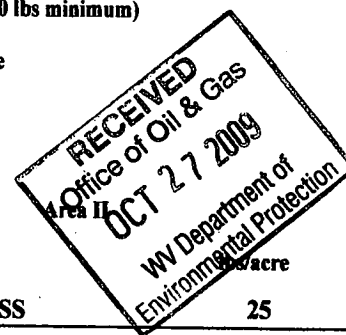
Seed Mixtures

Area I

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Seed Type

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10



Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Bill HatfieldTitle: oil & gas inspectorDate: 10.22.09

Field Reviewed?

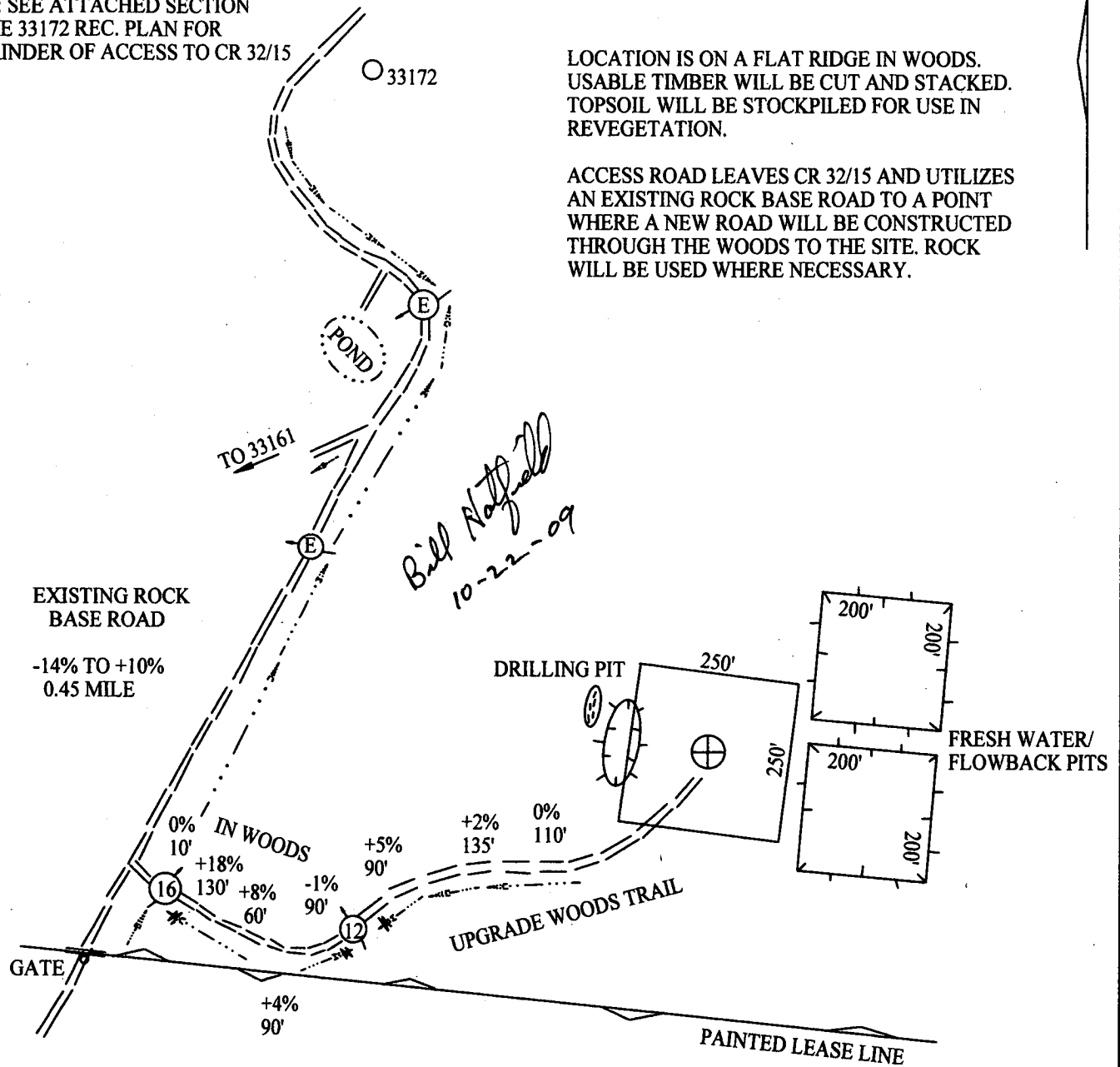
() Yes() No

97-03692

NOTE: SEE ATTACHED SECTION
OF THE 33172 REC. PLAN FOR
REMAINDER OF ACCESS TO CR 32/15

LOCATION IS ON A FLAT RIDGE IN WOODS.
USABLE TIMBER WILL BE CUT AND STACKED.
TOPSOIL WILL BE STOCKPILED FOR USE IN
REVEGETATION.

ACCESS ROAD LEAVES CR 32/15 AND UTILIZES
AN EXISTING ROCK BASE ROAD TO A POINT
WHERE A NEW ROAD WILL BE CONSTRUCTED
THROUGH THE WOODS TO THE SITE. ROCK
WILL BE USED WHERE NECESSARY.



SURFACE OWNER:

JIMMIE R. WOODY, ET. AL.
24 VICKSBURG RD.
BUCKHANNON, WV 26201

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: HERODS RUN

DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33173

DATE: 10/19/09 PAGE of

97-03692

CR 32/15
GATE

POND

LOCATION IS ON AN OLD RECLAIMED STRIP MINE AREA. ANY USABLE TREES WILL BE CUT AND STACKED. TOPSOIL WILL BE STOCKPILED FOR USE IN REVEGETATION.

ACCESS ROAD IS ALL EXISTING COAL HAUL ROAD AND IS ALL ON LEASE.

*Bill Hatfield
10-22-09*

ALL EXISTING ROAD WHICH WAS FORMERLY A COAL HAUL ROAD.

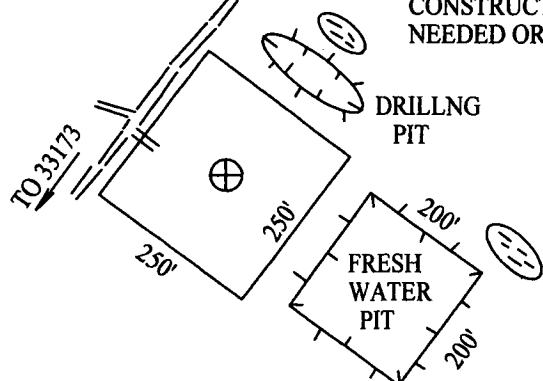
+10% TO -12% FOR 1.20 MILES

LITTLE TO NO UPGRADING NEEDED WITH THE EXCEPTION OF ROCK WHERE REQUIRED.

GAS GAS

LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

NOTE: AN ALTERNATE DRILLING PIT WILL BE CONSTRUCTED IF NEEDED OR REQUIRED.



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: HERODS RUN

DISTRICT: WASHINGTON COUNTY: UPSHUR

QUADRANGLE: ALTON WELL NO.: 33172

DATE: 01/31/09

PAGE of

Topographic map of the Alton Stockerts (Site) area. The map displays contour lines indicating elevation, with labels such as 2200, 2400, and 2600. A prominent road runs vertically through the center, with a bridge crossing a creek. To the right, a trail is marked with a dashed line. The Alton Stockerts (Site) is labeled in the upper right. A mine is located in the lower left, near a swamp. The map includes a grid with coordinates: 138° 46' 30" to 138° 47' 30" longitude and 43° 43' 30" to 43° 44' 30" latitude. Other features include a creek, a trail, and various landmarks marked with 'X' and 'B'.

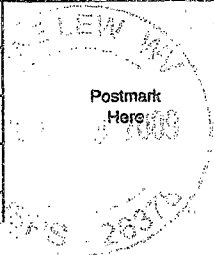
LAND SURVEYING SERVICES
21 CEDAR LANE
BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 5762

7008 1830 0004 4740 0655

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

AMANDA

Connie D. Rice &
 Steven W. Woody
 24 Vicksburg Road
 Buckhannon, WV 26201

33161, 33171, & 33172

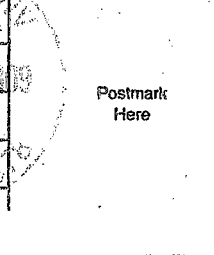
For instructions

7008 1830 0004 4740 0679

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For delivery information visit our website at www.usps.com

OFFICIAL USE

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

AMANDA

Pawpaw & Gran, LLC.
 Rt. 4 Box 467
 Buckhannon, WV 26201

33161, 33171, & 33172

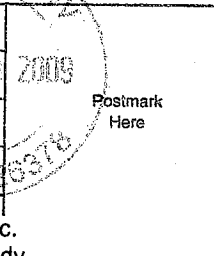
For instructions

7008 1830 0004 4740 0662

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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

AMANDA

Woody Lumber Company, Inc.
 C/o Jimmie R. & Ellen J. Woody
 Robin Woody Williams
 24 Vicksburg Road
 Buckhannon, WV 26201

33161, 33171, & 33172

For instructions

SURFACE OWNER WAIVER

97-03692

County: Upshur

Operator's Well Number 33173

Operator

Dominion Exploration & Production, Inc.

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

The well operator named on page WW2A is applying for a permit from the State to do oil or gas well work. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

Or District Oil & Gas Inspector
(name and address on WW2-A)

Time Limits and methods for filing comments. The law requires these materials to be served on or before the date the operator files his Application. You have **FIFTEEN (15) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Comments must be in writing. Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation..."

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

List of Water Testing Laboratories. The Office maintains a list of water testing laboratories which you can hire to test your water to establish water quality prior to and after drilling. Contact the Chief to obtain a copy.

VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW2-A, and attachments consisting of pages 1 through ___ including a work order on WW2-B, a survey plat, and a soil and erosion plan, all for proposed well work on my surface land as described therein.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON

FOR EXECUTION BY A CORPORATION, ETC.

Signature

Date

Name
By
Its

Signature

Date

RECEIVED
Office of Oil & Gas
OCT 30 2009
WV Department of
Environmental Protection

SURFACE OWNER WAIVER

97-03693

County: Upshur

Operator's Well Number 33171

Operator

Dominion Exploration & Production, Inc.

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

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NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

Or District Oil & Gas Inspector
(name and address on WW2-A)

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FOR EXECUTION BY A NATURAL PERSON

FOR EXECUTION BY A CORPORATION, ETC.

Signature Date _____

Name
By
Its

Parag 7690
David E. Hardy

Signature Date 002072009

Signature

Date

RECEIVED
Office of Oil & Gas
OCT 30 2009
WV Department of
Environmental Protection

WELL REFERENCES:

S20-30E, 149.50' TO 19" W. ASH
S13-00W, 191.00' TO 8" SUGAR

===== DENOTES OUTER
LEASE LINE

NAD 27:

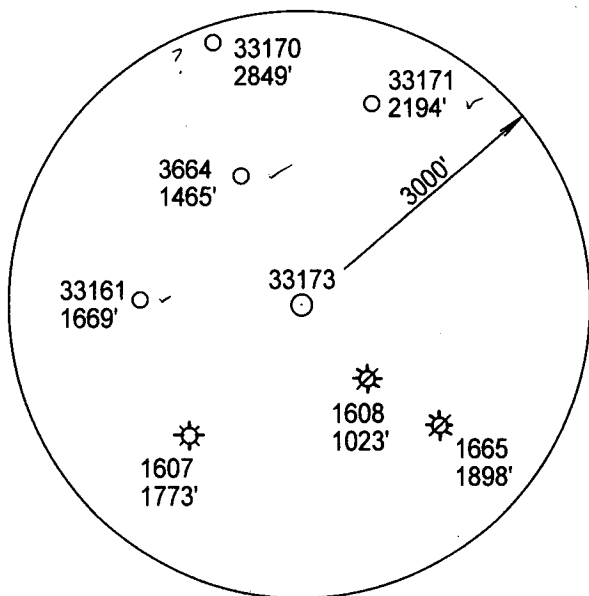
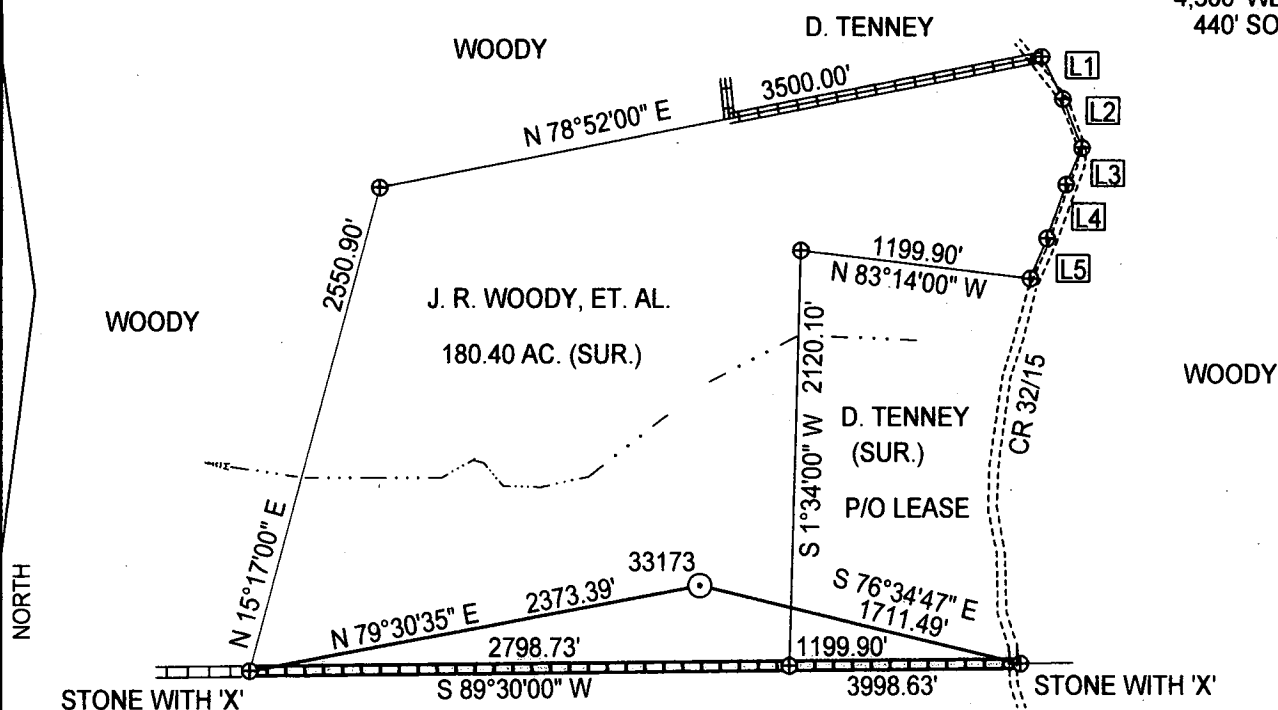
38-47-25.62
80-10-54.23

LATITUDE 38-47-30

SCALED COOR.:

4,300' WEST
440' SOUTH

LONGITUDE 80-10-00



PENN VIRGINIA OPERATING CO., LLC

Id	Bearing	Distance
L1	S 26°46'00" E	242.50'
L2	S 21°41'00" E	269.90'
L3	S 23°10'00" W	206.00'
L4	S 19°44'00" W	290.40'
L5	S 23°04'00" W	222.60'

NOTE: WELL IS MORE
THAN 400' FROM ANY
OUTER LEASE LINE.

DEEP WELLS WITHIN
CIRCLE ARE 3669, 33161,
33170 & 33171.

NAD 27 WV NORTH SPC:

33173 = 106,526.33'
1,805,664.98'

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER:

DRAWING NUMBER: DEP33173R.PCSSCALE: 1" = 1000'

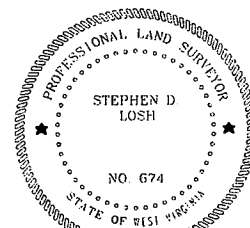
MINIMUM DEGREE
OF ACCURACY: SUBMETER

PROVEN SOURCE
OF ELEVATION: DGPS SURVEY
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
FORM WW-6 #10 McJUNKIN ROAD
NITRO, WV 25143-2506

LAND SURVEYING SERVICES
21 CEDAR LANE, BRIDGEPORT, WV 26330
PHONE: 304-842-2018 OR 842-5762

DATE: SEPTEMBER 21, 2009OPERATORS WELL NO.: 33173

API WELL NO.

47 - 097 - 03692
STATE COUNTY PERMIT

WELL TYPE: OIL GAS X LIQUID INJECTION WASTE DISPOSAL CBM
(IF "GAS") PRODUCTION X STORAGE DEEP X SHALLOW

LOCATION: ELEVATION 2448.70' WATERSHED HERODS RUNDISTRICT WASHINGTON COUNTY UPSHURQUADRANGLE ALTON LEASE NUMBER 63848SURFACE OWNER JIMMIE R. WOODY, ET. AL. ACREAGE 180.40 (7Q-04)OIL & GAS ROYALTY OWNER W. H. O'DELL LEASE ACREAGE 5000.00

PROPOSED WORK: DRILL X CONVERT DRILL DEEPER REDRILL FRACTURE OR STIMULATE PLUG OFF OLD FORMATION
PERFORATE NEW FORMATION OTHER PHYSICAL CHANGE (SPECIFY)

TARGET FORMATION MARCELLUS ESTIMATED DEPTH 7700'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGSADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME PERMIT